Permit ID: 2-6206-00012/00016
Renewal Number: 2
11/24/2014

Facility Identification Data
Name: CON ED-EAST RIVER GENERATING STATION
Address: 701-827 E 14TH ST
NEW YORK, NY 10009

Owner/Firm
Name: CONSOLIDATED EDISON COMPANY OF NEW YORK INC
Address: 4 IRVING PL
NEW YORK, NY 10003-3502, USA
Owner Classification: Corporation/Partnership

Permit Contacts
Division of Environmental Permits:
Name: ELIZABETH A CLARKE
Address: NYSDEC - REGION 2
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407
Phone:7184824997

Division of Air Resources:
Name: CICILY T NIRAPPEL
Address: HUNTERS POINT PLAZA
LONG ISLAND CITY, NY 11101
Phone:7184824944

Air Permitting Contact:
Name: FEMI OGUNSOLA
Address: CONSOLIDATED EDISON CO OF NY INC
4 IRVING PL - 15FL NE
NEW YORK, NY 10003-3502
Phone:2124601223

Permit Description
Introduction
The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project
Application for renewal of Air Title V Facility.

Attainment Status
CON ED-EAST RIVER GENERATING STATION is located in the town of MANHATTAN in the
The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

<table>
<thead>
<tr>
<th>Criteria Pollutant</th>
<th>Attainment Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Particulate Matter (PM)</td>
<td>ATTAINMENT</td>
</tr>
<tr>
<td>Particulate Matter&lt; 10µ in diameter (PM10)</td>
<td>MODERATE NON-ATTAINMENT</td>
</tr>
<tr>
<td>Sulfur Dioxide (SO2)</td>
<td>ATTAINMENT</td>
</tr>
<tr>
<td>Ozone*</td>
<td>SEVERE NON-ATTAINMENT</td>
</tr>
<tr>
<td>Oxides of Nitrogen (NOx)**</td>
<td>ATTAINMENT</td>
</tr>
<tr>
<td>Carbon Monoxide (CO)</td>
<td>ATTAINMENT</td>
</tr>
</tbody>
</table>

----

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.
** NOx has a separate ambient air quality standard in addition to being an ozone precursor.

Facility Description:
Con Edison East River Generating Station generates electricity and steam. It operates one (1) 1930 MMBtu/hr boiler, one (1) 1982 MMBtu/hr boiler, Five (5) 180 MMBtu/hr boilers (192 MMBtu/hr when natural gas fired) and two (2) truncated combined cycle combustion turbine units (2054 MMBtu/hr) with heat recovery steam generators (1332 MMBtu/hr).

Permit Structure and Description of Operations
The Title V permit for CON ED-EAST RIVER GENERATING STATION is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types: combustion - devices which burn fuel to generate heat, steam or power
incinerator - devices which burn waste material for disposal
control - emission control devices
process - any device or contrivance which may emit air contaminants that is not included in the above categories.

CON ED-EAST RIVER GENERATING STATION is defined by the following emission unit(s):
Emission unit  ER0001  - Very large boilers 60 and 70. Both boilers have the capability to burn residual oil and natural gas, and can fire these fuels alone or together. Boiler 60 exhausts through emission point 00003 and boiler 70 exhausts through emission point 00004. Use of fuel oil in Unit 6 (Boiler 00060) during the period April 1 through November 14 is limited such that 90 percent of the fuel combusted, on a heating value basis, will on the average be natural gas during that period, based upon a three-season averaging period. Use of fuel oil in Unit No. 7 (Boiler 00070) during the period April 1 to November 14 is limited such that 90 percent of the fuel combusted, on a heating value basis, will on an average be natural gas during that period.

Emission unit  ER0001  is associated with the following emission points (EP):
00003, 00004

Process: NG1 is located at 1 - 4, Building BOILER HS - This process includes: one (1) opposed and one (1) face fired boiler (Nos. 60 and 70) rated at 1930 and 1982 MMBtu/hr, respectively. This process covers the combustion of natural gas in these boilers.

Process: RO1 is located at 1 - 4, Building BOILER HS - This process includes: one (1) opposed and one (1) face fired boiler (Nos. 60 and 70) rated at 1930 and 1982 MMBtu/hr, respectively. This process covers the combustion of residual oil in these boilers.

Emission unit  ER0002  - Large boilers 115 through 119 (South Steam Station). All boilers have the capability to burn residual oil and have the capability to burn natural gas. The maximum total heat input for boilers 115 through 119 is limited to 900 MMBtu/hr during oil firing and 960 MMBtu/hr during natural gas firing.

This emission unit also includes a GE Model No. Pg7241(fa) combustion turbine (CT) generator firing natural gas and low sulfur distillate oil (during an emergency and up to 16 hours per year) (Unit No. 1). This CT train has an associated heat recovery steam generator (HRSG) with duct burner that is fired with only natural gas. Unit No. 1 steam can be sent to the #6 steam turbine. Unit No.1 and the large boilers 110 through 119 exhaust through emission points 00001.

During any period, each HRSG's duct burner shall be allowed to burn fuel at the maximum rated capacity, 26,664 million BTU per day on a block 24-hour basis (midnight to midnight).

The duct firing will be increased in each HRSG associated with Unit No. s 1 and 2 such that the maximum steam output to the steam distribution system is raised from 1.6 to 1.7 million pounds per hour. Existing emission limits and existing daily heat input limits on HRSG firing will be maintained while achieving this 1.7 million lbs/hr steam output.

Emission unit  ER0002  is associated with the following emission points (EP):
00001

Process: FO1 is located at Building BOILER HS - One combustion turbine (Unit No. 1) firing low sulfur (0.045% maximum) distillate oil without supplementary duct firing in the heat recovery steam generator. Distillate oil will only be fired in an emergency (as defined in 6 NYCRR 201-2.1(b)(12)) and for test firing up to 16 hours per year. Water injection and selective catalytic reduction are used to control NOx emissions, and an oxidation catalyst is used to control CO and VOC emissions. During test firing, only
New York State Department of Environmental Conservation
Permit Review Report
Permit ID: 2-6206-00012/00016
Renewal Number: 2
11/24/2014

A biocide may be added to prevent fouling when fuel oil is stored for extended periods.

Process: NG2 is located at 1 - 4, Building BOILERHS - This process includes: five (5) package boilers (Nos. 115 through 119) rated at 192 MMBtu/hr each, during natural gas firing. This process covers the combustion of natural gas in these boilers.

Process: NG4 is located at Building BOILERHS - Combustion Turbine (Unit No. 1) firing natural gas with or without operation of heat recovery steam generator (HRSG). Dry low NOx burners and SCR are used to control NOx emissions and an oxidation catalyst is used to control CO and VOC emissions.

The duct firing will be increased in each HRSG associated with Unit No.s 1 and 2 such that the maximum steam output to the steam distribution system is raised from 1.6 to 1.7 million pounds per hour. Existing emission limits and existing daily heat input limits on HRSG firing will be maintained while achieving this 1.7 million lb/hr steam output. Natural gas firing during this period will increase to up to 1332 MMBtu/hr (higher heating value).

Process: RO2 is located at 1 - 4, Building BOILERHS - This process includes: five (5) package boilers (Nos. 115 through 119) rated at 180 MMBtu/hr each, during oil firing. This process covers the combustion of residual oil in these boilers.

Emission unit ER0003 - Emission Unit ER0003 represents a GE Model No. Pg7241(fa) combustion turbine (CT) generator firing natural gas and low sulfur distillate oil (during an emergency and up to 16 hours per year) (Unit No.2). This CT train has an associated heat recovery steam generator (HRSG) with duct burner that will be fired with only natural gas. Unit No.2 steam can be sent to the #6 steam turbine. Unit No. 2 will exhaust through emission point 00002.

During any period, each HRSG’s duct burners shall be allowed to burn fuel at the maximum rated capacity, 26,664 million BTU per day on a block 24-hour basis (midnight to midnight).

This emission unit also includes one 1000KW diesel-or dual fuel (diesel and natural gas) fired emergency generator.

The duct firing will be increased in each HRSG associated with Unit No.s 1 and 2 such that the maximum steam output to the steam distribution system is raised from 1.6 to 1.7 million pounds per hour. Existing emission limits and existing daily heat input limits on HRSG firing will be maintained while achieving this 1.7 million lbs/hr steam output.

Emission unit ER0003 is associated with the following emission points (EP):
00002

Process: 0EG is located at Main, Building BOILERHS - This process consists of diesel-or dual fuel (diesel and natural gas) fired emergency generator which will be used to provide backup power in the event of a loss of normal power to Units No. 1 and /or 2.

Process: FO3 is located at Building BOILERHS - One combustion turbine (Unit No. 2) firing low sulfur (0.045% maximum) distillate oil without supplementary duct firing in the heat recovery steam generator.
up to 16 hours per year. Water injection and selective catalytic reduction are used to control NOx emissions and an oxidation catalyst is used to control CO and VOC emissions. During test firing only combustion turbine may be fired. Process information in section iv covers only emissions during testing. During emergency operation both the combustion turbine and duct burner may be fired.

A biocide may be added to prevent fouling when fuel is stored for extended periods.

Process: NG3 is located at Building BOILERHS - Combustion turbine (Unit No. 2) firing natural gas with or without operation of heat recovery steam generator (HRSG). Dry low NOx burner and selective catalytic reduction are used to control NOx emissions and an oxidation catalyst is used to control CO and VOC emissions.

The duct firing will be increased in each HRSG associated with Unit Nos 1 and 2 such that the maximum steam output to the steam distribution system is raised from 1.6 to 1.7 million pounds per hour. Existing emission limits and existing daily heat input limits on HRSG firing will be maintained while achieving this 1.7 million lb/hr steam output. Natural gas firing during this period will increase to up to 1332 MMbtu/hr (higher heating value).

Emission unit ER0011 - Vapor extractors for units 60 and 70.

Emission unit ER0011 is associated with the following emission points (EP):
VE060, VE070
Process: VEX is located at 1 - 4, Building BOILERHS - There are two steam driven turbine generators at East River. Each steam turbine has a lube oil system, which is equipped with a vapor extractor to prevent a build up of hydrogen in the oil reservoir. The vapor extractors are insignificant sources of emissions.

Title V/Major Source Status
CON ED-EAST RIVER GENERATING STATION is subject to Title V requirements. This determination is based on the following information:
Facility air emissions exceed Major Size Thresholds.

Program Applicability
The following chart summarizes the applicability of CON ED-EAST RIVER GENERATING STATION with regards to the principal air pollution regulatory programs:

<table>
<thead>
<tr>
<th>Regulatory Program</th>
<th>Applicability</th>
</tr>
</thead>
<tbody>
<tr>
<td>PSD</td>
<td>YES</td>
</tr>
<tr>
<td>NSR (non-attainment)</td>
<td>NO</td>
</tr>
<tr>
<td>NESHAP (40 CFR Part 61)</td>
<td>NO</td>
</tr>
<tr>
<td>NESHAP (MACT - 40 CFR Part 63)</td>
<td>YES</td>
</tr>
<tr>
<td>NSPS</td>
<td>YES</td>
</tr>
<tr>
<td>TITLE IV</td>
<td>YES</td>
</tr>
</tbody>
</table>
New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6206-00012/00016
Renewal Number: 2
11/24/2014

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>TITLE V</td>
<td>YES</td>
</tr>
<tr>
<td>TITLE VI</td>
<td>NO</td>
</tr>
<tr>
<td>RACT</td>
<td>YES</td>
</tr>
<tr>
<td>SIP</td>
<td>YES</td>
</tr>
</tbody>
</table>

---

NOTES:

PSD    Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR    New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP  National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP’s).

MACT   Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS   New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G) - federal requirements that apply to sources which use a minimum quantity of CFC’s (chlorofluorocarbons), HCFC’s (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT   Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC’s and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.
SIP State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

**Compliance Status**
Facility is in compliance with all requirements.

**SIC Codes**
SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4911</td>
<td>ELECTRIC SERVICES</td>
</tr>
<tr>
<td>4961</td>
<td>STEAM SUPPLY</td>
</tr>
</tbody>
</table>

**SCC Codes**
SCC or Source Classification Code is a code developed and used by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC’s.

<table>
<thead>
<tr>
<th>SCC Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-01-004-01</td>
<td>EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION</td>
</tr>
<tr>
<td></td>
<td>ELECTRIC UTILITY BOILER - RESIDUAL OIL</td>
</tr>
<tr>
<td></td>
<td>Grade 6 Oil: Normal Firing</td>
</tr>
<tr>
<td>1-01-006-01</td>
<td>EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION</td>
</tr>
<tr>
<td></td>
<td>ELECTRIC UTILITY BOILER - NATURAL GAS</td>
</tr>
<tr>
<td></td>
<td>Boilers &gt; 100 MBtu/Hr except Tangential</td>
</tr>
<tr>
<td>1-02-006-01</td>
<td>EXTERNAL COMBUSTION BOILERS - INDUSTRIAL</td>
</tr>
<tr>
<td></td>
<td>INDUSTRIAL BOILER - NATURAL GAS</td>
</tr>
<tr>
<td></td>
<td>Over 100 MBtu/Hr</td>
</tr>
<tr>
<td>2-01-001-01</td>
<td>INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION</td>
</tr>
<tr>
<td></td>
<td>ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE</td>
</tr>
<tr>
<td></td>
<td>- DISTILLATE OIL (DIESEL) Turbine</td>
</tr>
<tr>
<td>2-01-001-06</td>
<td>INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION</td>
</tr>
<tr>
<td></td>
<td>ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE</td>
</tr>
<tr>
<td></td>
<td>- DISTILLATE OIL (DIESEL) RECIPROCATING: EVAPORATIVE LOSSES (FUEL STORAGE</td>
</tr>
<tr>
<td></td>
<td>AND DELIVERY SYSTEM)</td>
</tr>
<tr>
<td>2-01-002-01</td>
<td>INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION</td>
</tr>
</tbody>
</table>
Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.’s contain a ‘NY’ designation within them. These are not true CAS No.’s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.’s do not do. As an example, volatile organic compounds or VOC’s are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term ‘HAP’ refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. ONY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

<table>
<thead>
<tr>
<th>Cas No.</th>
<th>Contaminant Name</th>
<th>PTE</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>007664-41-7</td>
<td>AMMONIA</td>
<td>122640</td>
<td></td>
</tr>
<tr>
<td>007440-36-0</td>
<td>ANTIMONY</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007440-38-2</td>
<td>ARSENIC</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000071-43-2</td>
<td>BENZENE</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007440-41-7</td>
<td>BERYLLIUM</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007440-43-9</td>
<td>CADMIUM</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000630-08-0</td>
<td>CARBON MONOXIDE</td>
<td>&gt;= 250 tpy but &lt; 75,000 tpy</td>
<td></td>
</tr>
<tr>
<td>016065-83-1</td>
<td>CHROMIUM (III)</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007440-48-4</td>
<td>COBALT</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000100-41-4</td>
<td>ETHYLBENZENE</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>016984-48-8</td>
<td>FLUORIDE</td>
<td>&gt; 0 but &lt; 2.5 tpy</td>
<td></td>
</tr>
<tr>
<td>000050-00-0</td>
<td>FORMALDEHYDE</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007647-01-0</td>
<td>HYDROGEN CHLORIDE</td>
<td>&gt;= 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007439-92-1</td>
<td>LEAD</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007439-96-5</td>
<td>MANGANESE</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007439-97-6</td>
<td>MERCURY</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000091-20-3</td>
<td>NAPHTHALENE</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007440-02-0</td>
<td>NICKEL METAL AND INSOLUBLE COMPOUNDS</td>
<td>&gt;= 10 tpy</td>
<td></td>
</tr>
<tr>
<td>ONY210-00-0</td>
<td>OXIDES OF NITROGEN</td>
<td>&gt;= 250 tpy but &lt; 75,000 tpy</td>
<td></td>
</tr>
<tr>
<td>ONY075-00-0</td>
<td>PARTICULATES</td>
<td>&gt;= 250 tpy but &lt; 75,000 tpy</td>
<td></td>
</tr>
<tr>
<td>007723-14-0</td>
<td>PHOSPHORUS (YELLOW)</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>ONY075-00-5</td>
<td>PM-10</td>
<td>&gt;= 250 tpy but &lt;</td>
<td></td>
</tr>
</tbody>
</table>
NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A:   Emergency Defense - 6 NYCRR 201-1.5

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

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

(1) An emergency occurred and that the facility owner or
operator can identify the cause(s) of the emergency;
(2) The equipment at the permitted facility causing the
emergency was at the time being properly operated and maintained;
(3) During the period of the emergency the facility owner 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 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 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 B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.2(a)(4)
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR 201-6.4(a)(6)
This permit does not convey any property rights of any sort or any exclusive privilege.

Item I: Severability - 6 NYCRR Part 201-6.4(a)(9)
If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item J: Permit Shield - 6 NYCRR Part 201-6.4(g)
All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

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

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

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

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

Item K: Reopening for Cause - 6 NYCRR Part 201-6.4(i)
This Title V permit shall be reopened and revised under any of the following circumstances:

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

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

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

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

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

Reopenings shall not be initiated before a notice of such intent is provided to
the facility by the Department at least thirty days in advance of the date that the
permit is to be reopened, except that the Department may provide a shorter time
period in the case of an emergency.

Item L:  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 M:  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.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A:  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.

Regulatory Analysis

<table>
<thead>
<tr>
<th>Location</th>
<th>Regulation</th>
<th>Condition</th>
<th>Short Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facility/EU/EP/Process/ES</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Page 12 of 30
<table>
<thead>
<tr>
<th>FACILITY</th>
<th>ECL 19-0301</th>
<th>167</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-R0002/-/FO1</td>
<td>40CFR 52-A.21(j)</td>
<td>89, 90, 91, 92, 93, 94, 95</td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>40CFR 52-A.21(j)</td>
<td>152, 153, 154, 155, 156, 157, 158, 159, 160, 161</td>
</tr>
</tbody>
</table>

Powers and Duties of the Department with respect to air pollution control

Best Available Control Technology

FACILITY | 40CFR 60-A.12 | 64 |

General provisions - Circumvention

FACILITY | 40CFR 60-A.4 | 61 |

General provisions - Address

FACILITY | 40CFR 60-A.7(b) | 62 |

Notification and Recordkeeping

FACILITY | 40CFR 60-A.7(f) | 63 |

Notification and Recordkeeping

E-R0002/-/NG4/HRSG1 | 40CFR 60-Db.49b(d) | 121 |

Reporting and Recordkeeping Requirements.

FACILITY | 40CFR 60-Db.49b(d) | 165 |

Reporting and Recordkeeping Requirements.

E-R0002/-/FO1 | 40CFR 60-GG.334(h) | 96, 97 |

Fuel Content

E-R0002/-/NG4 | 40CFR 60-GG.334(h) | 118, 119 |

Fuel Content

E-R0003/-/FO3 | 40CFR 60-GG.334(h) | 141, 142 |

Fuel Content

E-R0003/-/NG3 | 40CFR 60-GG.334(h) | 162, 163 |

Fuel Content

FACILITY | 40CFR 60-III | 65, 66 |

Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

Boilers and Process Heaters Major Source NESHAP rule

FACILITY | 40CFR 63-DDDDD | 27, 28 |

National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources Reciprocating Internal Combustion Engine (RICE) NESHAP

FACILITY | 40CFR 63-JJJJJJJ | 67, 68 |

Chemical accident prevention provisions Permits regulation

E-R0001 | 40CFR 72 | 75 |

Continuous emission monitoring - specific provisions for monitoring SO2 emissions gas-fired units and oil-fired units

E-R0002/-/FO1 | 40CFR 75-B.11(d) | 98 |

Continuous emission monitoring - specific

E-R0002/-/NG4 | 40CFR 75-B.11(d) | 120 |
provisions for monitoring SO2 emissions gas-fired units and oil-fired units
Continuous emission monitoring - specific provisions for monitoring SO2 emissions gas-fired units and oil-fired units
Continuous emission monitoring - specific provisions for monitoring SO2 emissions gas-fired units and oil-fired units
Protection of Stratospheric Ozone - recycling and emissions reduction
Acceptable ambient air quality.
Maintenance of equipment.
Unavoidable noncompliance and violations
Recycling and Salvage
Prohibition of reintroduction of collected contaminants to the air
Exempt Activities - Proof of eligibility
Trivial Activities - proof of eligibility
Title V Permits and the Associated Permit Conditions
Title V Permits and the Associated Permit Conditions
Title V Permits and the Associated Permit Conditions
Title V Permits and the Associated Permit Conditions
General Conditions - Requirement to Provide Information
General Conditions - Fees
General Conditions - Right to Inspect
Recordkeeping and Reporting of Compliance Monitoring Records of Monitoring, Sampling
| FACILITY | 6NYCRR 201-6.4(c)(3)(i) | 5 | Reporting Requirements - Deviations and Noncompliance |
| FACILITY | 6NYCRR 201-6.4(d)(4) | 25 | Compliance Schedules - Progress Reports |
| FACILITY | 6NYCRR 201-6.4(e) | 6 | Compliance Certification |
| FACILITY | 6NYCRR 201-6.4(f)(6) | 17 | Off Permit Changes |
| FACILITY | 6NYCRR 201-7 | 26, 27, 28 | Federally Enforceable Emissions Caps |
| FACILITY | 6NYCRR 202-1.1 | 18 | Required emissions tests. |
| FACILITY | 6NYCRR 202-1.2 | 29 | Notification. |
| FACILITY | 6NYCRR 202-2.1 | 7 | Emission Statements - Applicability |
| FACILITY | 6NYCRR 202-2.5 | 8 | Emission Statements - record keeping requirements. |
| FACILITY | 6NYCRR 207.3(d) | 30 | Episode actions |
| FACILITY | 6NYCRR 211.1 | 31 | General Prohibitions - air pollution prohibited |
| FACILITY | 6NYCRR 211.2 | 169 | General Prohibitions - visible emissions limited. |
| E-R0011 | 6NYCRR 212.6 | 166 | Opacity Limitation |
| FACILITY | 6NYCRR 215.2 | 9 | Open Fires - Prohibitions |
| FACILITY | 6NYCRR 225.7(a) | 37 | Reports, Sampling and Analysis |
| FACILITY | 6NYCRR 225-1.2(d) | 32 | Sulfur-in-Fuel Limitations |
| FACILITY | 6NYCRR 225-1.2(g) | 33 | Sulfur-in-Fuel Limitations |
| FACILITY | 6NYCRR 225-1.2(h) | 34 | Sulfur-in-Fuel Limitations |
| FACILITY | 6NYCRR 225-1.5(c) | 35 | Monitoring Requirements |
| FACILITY | 6NYCRR 225-1.6(f) | 36 | Excess Emission Reports |
| E-R0003/-/0EG/00EG1 | 6NYCRR 227.2(b)(1) | 128 | Particulate emissions. |
| E-R0001/-/RO1 | 6NYCRR 227-1.2(a)(1) | 76 | Particulate Emissions from Liquid Fuels. |
| E-R0002/-/RO2 | 6NYCRR 227-1.2(a)(1) | 173 | Particulate Emissions from Liquid Fuels. |
| FACILITY | 6NYCRR 227-1.3 | 38 | Smoke Emission Limitations. |
| E-R0001 | 6NYCRR 227-1.3 | 73 | Smoke Emission Limitations. |
| E-R0002 | 6NYCRR 227-1.3 | 82 | Smoke Emission Limitations. |
| E-R0002/-/FO1 | 6NYCRR 227-1.3(a) | 84 | Smoke Emission Limitations. |
| E-R0003/-/FO3 | 6NYCRR 227-1.3(a) | 129 | Smoke Emission Limitations. |
| FACILITY | 6NYCRR 227-2.4(e)(3) | 39 | NOx requirements for other combustion turbines. |
| E-R0001 | 6NYCRR 227-2.5(a) | 74 | Fuel switching option. |
| E-R0002 | 6NYCRR 227-2.5(a) | 83 | Fuel switching |
FACILITY 6NYCRR 227-2.5(b) 40 System averaging plan.
FACILITY 6NYCRR 227-2.6(b) 41 CBMS requirements
FACILITY 6NYCRR 231-2.4 42, 43, 44, 45, 46, 47 Permit Requirements
E-R0002/-/FO1 6NYCRR 231-2.4 85, 86, 87, 88 Permit Requirements
E-R0002/-/NG4 6NYCRR 231-2.4 100, 101, 102, 103, 104, 105, 106, 107 Permit Requirements
E-R0003/-/FO3 6NYCRR 231-2.4 130, 131, 132, 133 Permit Requirements
E-R0003/-/NG3 6NYCRR 231-2.4 144, 145, 146, 147, 148, 149, 150, 151 Permit Requirements
E-R0002/-/NG2 6NYCRR 242-1.5 170, 171, 172 CO2 Budget Trading Program - Standard requirements
E-R0002/-/RO2 6NYCRR 243-1.6(a) 48 Permit Requirements - CAIR NOx Ozone Season Trading Program
FACILITY 6NYCRR 243-1.6(d) 49 Excess Emission Requirements - CAIR NOx Ozone Season Trading Program
FACILITY 6NYCRR 243-2.1 50 Authorization and responsibilities - CAIR Designated Representative
FACILITY 6NYCRR 243-8.1 51, 52 General Requirements - Monitoring and Reporting
FACILITY 6NYCRR 243-8.3 53 Out of control periods - Monitoring and Reporting
FACILITY 6NYCRR 243-8.5(d) 54 Quarterly reports re: recordkeeping and reporting - Monitoring and Reporting
FACILITY 6NYCRR 244-1 55 CAIR NOx Ozone Annual Trading Program General Provisions
FACILITY 6NYCRR 244-2 56 CAIR Designated Representative for CAIR NOx Sources Monitoring and Reporting CAIR NOx Allowances
FACILITY 6NYCRR 244-8 57 CAIR Designated Representative for CAIR NOx Sources Monitoring and Reporting for CAIR NOx Sources
FACILITY 6NYCRR 245-1 58 CAIR SO2 Trading Program General Provisions
FACILITY 6NYCRR 245-2 59 CAIR Designated Representative for CAIR SO2 Sources Monitoring and Reporting for CAIR SO2 Trading Program
FACILITY 6NYCRR 245-8 60

**Applicability Discussion:**

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

**ECL 19-0301**

This section of the Environmental Conservation Law establishes the powers and duties assigned to the
Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6
Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7
Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4
This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7
Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8
Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)
An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6 NYCRR 201-3.3 (a)
The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR Subpart 201-6
This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.4 (a) (4)
This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7) This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8) This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c) This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2) This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii) This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (5) This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e) Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.4 (f) (6) This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.
This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1
Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

6 NYCRR 202-2.5
This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2
This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

6 NYCRR 215.2
Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

40 CFR Part 68
This Part lists the regulated substances and their applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F
Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements
In addition to Title V, CON ED-EAST RIVER GENERATING STATION has been determined to be subject to the following regulations:

40 CFR 52.21 (i)
BACT determinations are made on a case-by-case basis and can be no less stringent than any requirement that exists in the current State Implementation Plan (SIP) or 40 CFR 60 and 61. Emission and operational limitations required from a BACT determination will have to be entered into the special permit conditions, separately by the permit reviewer.

40 CFR 60.12
This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.
40 CFR 60.334 (h)
This regulation requires the applicant to monitor the sulfur and nitrogen content of the fuel being burned in the turbine.

40 CFR 60.4
This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.49b (d)
This subdivision requires reporting and recordkeeping for affected steam generating units - annual fuel capacity factors.

40 CFR 60.7 (b)
This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40 CFR 60.7 (f)
This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40 CFR 75.11 (d)
This section deals with the measurements of SO2 in gas-fired and oil-fired systems only. It specifies requirements in addition to the general operating requirements in § 75.10 and provides for alternative methods for estimating hourly SO2 mass emissions.

40 CFR Part 60, Subpart IIII
Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII.

40 CFR Part 63, Subpart DDDDD
This subpart establishes national emission limits and work practice standards for hazardous air pollutants (HAP) emitted from industrial, commercial, and institutional boilers and process heaters located at major sources of HAP emissions. It also establishes requirements to demonstrate initial and continuous compliance with the emission limits and work practice standards.
40 CFR Part 63, Subpart JJJJJ
This regulation covers facilities that own or operate an industrial, commercial, or institutional boiler as defined in §63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in §63.2, except as specified in §63.11195.

40 CFR Part 63, Subpart ZZZZ
Internal combustion engines, constructed or re-constructed on or after June 12, 2006, that meet the requirements of 40 CFR 60 Subpart IIII or Subpart JJJJ meet the requirements of 40 CFR 63 Subpart ZZZZ.

40 CFR Part 72
In order to reduce acid rain in the U.S. and Canada, Title IV of the Clean Air Act Amendments of 1990 requires the establishment of a program to reduce emissions of SO2 and NOx (sulfur dioxide and oxides of nitrogen). Fossil fuel burning electric utility companies are a major source of these contaminants in the US. These sources were regulated in a phased approach. Phase I, which began in 1995, requires 110 of the higher-emitting utility plants in the eastern and Midwest states to meet intermediate SO2 emission limitations. Phase II, which began in 2000, tightens the emission limitations and expands the coverage to most fossil fuel burning utilities. The utilities are given “allowances” which is a limited authorization to emit one ton of SO2. The utilities are required to limit SO2 emissions to the number of allowances they hold. Some can benefit however by reducing their emissions and selling their excess allowances. Part 72 contains the means of implementing this portion of Title IV of the Clean Air Act.

6 NYCRR 202-1.2
This regulation specifies that the department is to be notified at least 30 days in advance of any required stack test. The notification is to include a list of the procedures to be used that are acceptable to the department. Finally, free access to observe the stack test is to be provided to the department's representative.

6 NYCRR 207.3 (d)

6 NYCRR 211.1
This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.
6 NYCRR 212.6

6 NYCRR 225.7 (a)
The commissioner may require an owner of an air contamination source to retain for up to three years, and to submit to him, fuel analyses, information on the quantity of fuel received, burned or sold, and results of stack sampling, stack monitoring and other procedures to ensure compliance with the provisions of the Part. NOTE: This citation has been replaced by requirements cited under 225-1.8(a) and is no longer a part of current State regulations, however, it remains as part of New York State's approved State Implementation Plan (SIP).

6 NYCRR 225-1.2 (d)
Sulfur-in-fuel limitations that fire residual oil in the downstate after July 1, 2014.

6 NYCRR 225-1.2 (g)
Sulfur-in-fuel limitations for the purchase of distillate oil on or after July 1, 2014.

6 NYCRR 225-1.2 (h)
Sulfur-in-fuel limitation for the firing of distillate oil on or after July 1, 2016.

6 NYCRR 225-1.5 (c)
This citation sets the daily and weekly fuel monitoring requirements for subject emission sources.

6 NYCRR 225-1.6 (f)
This citation requires subject facilities to submit excess emissions reports to the Department.

6 NYCRR 227.2 (b) (1)
This regulation is from the 1972 version of Part 227 and still remains as part of New York's SIP. The rule establishes a particulate limit of 0.10 lbs/mmBtu based on a 2 hour average emission for any oil fired stationary combustion installation.
6 NYCRR 227-1.2 (a) (1)
This regulation establishes a particulate emission limit in terms of lbs per mmBtu of heat input for
stationary combustion units of greater than 250 mmBtu/hr heat input capacity which fire coal, oil, or
coal derived fuels.

6 NYCRR 227-1.3
This regulation requires a limitation and compliance monitoring for opacity from a stationary
combustion installation.

6 NYCRR 227-1.3 (a)
This regulation prohibits any person from operating a stationary combustion installation which emits
smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than
27% opacity.

6 NYCRR 227-2.4 (c) (3)
NOx RACT requirements for combustion turbines fired with fuels other than natural gas
or distillate oil.

6 NYCRR 227-2.5 (a)
Fuel switching NOx RACT compliance option.

6 NYCRR 227-2.5 (b)
System averaging plan NOx RACT compliance option.

6 NYCRR 227-2.6 (b)
Any owner or operator of a combustion source subject to reasonably available control technology
(RACT) requirements, under this subdivision, for NOx and either is required or opts to employ a
continuous emissions monitoring system (CEMS) must:
1) Submit a CEMS monitoring plan for approval by the Department,
2) Submit a CEMS certification protocol,
3) Meet CEMS monitoring requirements as detailed in this paragraph of this subdivision, and
4) Meet CEMS recordkeeping and reporting requirements as detailed in this paragraph of this
subdivision.

6 NYCRR 231-2.4
The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of
concern state-wide are nitrogen oxides and volatile organic compounds since New York State is
located in the ozone transport region and because there are ozone non-attainment areas within the
state. In the New York City metropolitan area, carbon monoxide is also a non-attainment
contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-
attainment contaminant in Manhattan County.

The permitting requirements for proposed source projects and new major facilities are set forth in section 231-2.4.

6 NYCRR 231-2.7
The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

Pursuant to section 231-2.7, existing major facilities may avoid the requirements of Subpart 231-2 by conducting a netting analysis. This is done by utilizing the following equation:

\[ \text{NEI} = \text{PEP} + \text{CEI} - \text{ERCs} \]

where:
- \( \text{NEI} \) = net emission increase
- \( \text{PEP} \) = project emission potential for the proposed source project
- \( \text{CEI} \) = creditable emission increases
- \( \text{ERCs} \) = emission reduction credits

All of the creditable emission increases and emission reduction credits must have occurred at the facility for which the netting analysis is being conducted and must have occurred during the contemporaneous period for the proposed project. If the net emission increase is less than the threshold values incorporated into sections 231-2.12 and 231-2.13, then the proposed source project is not subject to the requirements of Subpart 231-2.

6 NYCRR 242-1.5
His regulation requires that the facility hold enough carbon dioxide allowances in their carbon dioxide budget at least equal to the amount of carbon dioxide emitted from the facility each year.

6 NYCRR 243-1.6 (a)
This condition requires the facility to acknowledge that they are subject to this CAIR regulation and provide owner and contact information. It also requires them to update this information as it changes or provide supplemental information at the Department's request.

6 NYCRR 243-1.6 (d)
This citation for the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains some of the penalties that can be imposed on a CAIR NOx Ozone Season source that does not surrender enough CAIR NOx Ozone Season allowances to cover their NOx Ozone Season emissions.

6 NYCRR 243-2.1
This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program...
explains that a CAIR NOx Ozone Season designated representative must be selected to submit, sign and certify each submission on behalf of the source for this program.

6 NYCRR 243-8.1
This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains that CAIR NOx Ozone Season Trading Program sources must install, certify and operate monitoring systems that meet the monitoring, recordkeeping, and reporting requirements in Subpart 6 NYCRR 243-8 and in Subpart H of 40 CFR Part 75.

6 NYCRR 243-8.3
This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains what to do when an emission monitoring system fails quality assurance, quality control, or data validation requirements.

6 NYCRR 243-8.5 (d)
This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains what requirements the quarterly reports must meet.

6 NYCRR Subpart 201-7
This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is 25 tons for total HAP and 10 tons for individual HAP.

6 NYCRR Subpart 244-1
This subpart explains the general provisions of the Clean Air Interstate Rule (CAIR) Nitrogen Oxide (NOx) Annual Trading Program. The control period for this annual NOx cap and trade program runs from January 1 to December 31 each year, starting in 2009. Each source shall hold a tonnage equivalent in CAIR NOx allowances that is not less than the total tons of NOx emissions for the control period.

6 NYCRR Subpart 244-2
Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative. Each submission for the CAIR NOx Annual Trading Program shall be submitted, signed, and certified by the CAIR designated representative or the alternate representative.

6 NYCRR Subpart 244-8
The owners, operators, and Clean Air Interstate Rule (CAIR) designated representative of a CAIR NOx unit shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 244-8 and in 40 CFR Part 75, Subparts F and G. A certified NOx emission monitoring system must be used to measure NOx emissions. NOx emission reports must be certified and submitted quarterly.
6 NYCCR Subpart 245-1
This subpart explains the general provisions of the Clean Air Interstate Rule (CAIR) sulfur dioxide (SO2) Trading Program. The control period for this annual SO2 cap and trade program runs from January 1 to December 31, starting in the year 2010. Each source shall hold a tonnage equivalent in CAIR SO2 allowances that is not less than the total tons of SO2 emissions for the control period.

6 NYCCR Subpart 245-2
Each Clean Air Interstate Rule (CAIR) SO2 source shall have one CAIR designated representative and may have one alternate representative. Each submission for the CAIR SO2 Trading Program shall be submitted, signed, and certified by the CAIR designated representative or the alternate representative.

6 NYCCR Subpart 245-8
The owners, operators, and 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 NYCCR Part 245-8 and in 40 CFR Part 75, Subparts F and G. A certified SO2 emission monitoring system must be used to measure SO2 emissions. SO2 emission reports must be certified and submitted quarterly.

Compliance Certification
Summary of monitoring activities at CON ED-EAST RIVER GENERATING STATION:

<table>
<thead>
<tr>
<th>Location</th>
<th>Cond No.</th>
<th>Type of Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-R0002/-/FO1</td>
<td>89</td>
<td>work practice involving specific operations</td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>90</td>
<td>work practice involving specific operations</td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>91</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>92</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>93</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>94</td>
<td>work practice involving specific operations</td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>95</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>108</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>109</td>
<td>intermittent emission testing</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>110</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>111</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>112</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>113</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>114</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>115</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>116</td>
<td>work practice involving specific operations</td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>117</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>134</td>
<td>work practice involving specific operations</td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>135</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>136</td>
<td>work practice involving specific operations</td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>137</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>138</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>139</td>
<td>continuous emission monitoring (cem)</td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>140</td>
<td>work practice involving specific operations</td>
</tr>
<tr>
<td>FACILITY</td>
<td>Record Keeping/Maintenance Procedures</td>
<td></td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------------------------</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>152 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>153 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>154 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>155 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>156 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>157 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>158 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>159 intermittent emission testing</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>160 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>161 work practice involving specific operations</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/NG4/HRSG1</td>
<td>121 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3/HRSG2</td>
<td>165 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>96 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>97 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>118 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>119 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>141 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>142 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>162 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>163 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>98 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/NG4</td>
<td>120 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/FO3</td>
<td>143 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/NG3</td>
<td>164 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY 22</td>
<td>25 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY 23</td>
<td>24 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY 24</td>
<td>23 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0001</td>
<td>72 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0002</td>
<td>77 work practice involving specific operations</td>
<td></td>
</tr>
<tr>
<td>E-R0002</td>
<td>78 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0002</td>
<td>79 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0002</td>
<td>80 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0002</td>
<td>81 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003</td>
<td>123 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003</td>
<td>124 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003</td>
<td>125 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003</td>
<td>126 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0003</td>
<td>127 work practice involving specific operations</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>5 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>6 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>27 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>28 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>7 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>30 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY 34</td>
<td>166 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY 35</td>
<td>37 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY 36</td>
<td>32 work practice involving specific operations</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>33 work practice involving specific operations</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>34 work practice involving specific operations</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>35 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>36 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0003/-/0EG/00EG1</td>
<td>128 intermittent emission testing</td>
<td></td>
</tr>
<tr>
<td>E-R0001/-/RO1</td>
<td>76 intermittent emission testing</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/RO2</td>
<td>173 intermittent emission testing</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>38 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0001</td>
<td>73 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0002</td>
<td>82 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/FO1</td>
<td>84 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>E-R0002/-/FO3</td>
<td>129 continuous emission monitoring (cem)</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>39 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0001</td>
<td>74 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>E-R0002</td>
<td>83 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>40 record keeping/maintenance procedures</td>
<td></td>
</tr>
<tr>
<td>FACILITY</td>
<td>41 record keeping/maintenance procedures</td>
<td></td>
</tr>
</tbody>
</table>
### Basis for Monitoring

6 **NYCRR 201-6.4(c)(3)(ii)** is a facility-wide condition that applies to monitoring conditions in all Title V Permits. All facilities that are subject to the Title V requirements must submit reports of any required monitoring to the NYSDEC every six months.

6 **NYCRR 201-6.4(e)** is a facility-wide record keeping requirement that applies to all Title V facilities. These facilities must submit an annual compliance certification to the NYSDEC and the USEPA.

6 **NYCRR Part202-2.1** is a requirement for all Title V facilities. These facilities must submit an annual emission statement by April 15th of each year.

225-1.2(g) Sulfur-in-fuel limited 0.0015% by weight for the purchase of distillate oil on or after July 1, 2014.
225-1.2(h) Sulfur-in-fuel limited to 0.0015 % by weight for the firing of distillate oil on or after July 1, 2016.

6NYCRR Part 225-1.5(c): This condition requires the facility to record daily the rate of each fuel burned at the facility.

6NYCRR Part 225.1(a)(3) This condition is a requirement which limits the sulfur content of residual fuel oil used at the facility to 0.3% by weight.

6NYCRR Part 227-1.3 This condition prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity (six minute average), except for one six-minute period per hour of not more than 27% opacity. The terms of the latest consent order have been made an enforceable part of this permit.

NYCRR Part 227-2.5(a): This condition becomes effective on July 1, 2014 for two very large boilers and five large and listed in for Emission Units: ER0001 and ER0002.

Con Edison has proposed to achieve 227-2 NOx RACT compliance by fuel switching, in which facility will burn cleaner fuel, natural gas during ozone season (May 1 - September 30) of each year. Also, quantifiable annual NOX emissions will be equal to or less than the NOx emissions expected if the emission sources complied with the applicable presumptive RACT emission limit 0.15 lbs/MMBtu. In the event of any oil firing during ozone season, facility is required to report the average emission rate and an explanation for firing oil in their quarterly report.

NYCRR Part 227-2.5 (b): This condition is effective until June 30, 2014. All boilers at this facility comply with NOx RACT by system wide averaging. This condition states that the system-wide averaging of NOx emissions, done by Con Edison from its facilities, must comply with the Department approved NOx RACT Compliance and Operating Plan.

NYCRR Part 227-2
Units: CT001, CT002, HRSG1 and HRSG2.

Combined cycle combustion units are also subject to 6 Part 231-4, in addition to 6 Part 227-2 NOx RACT. These units were installed in the year 2005, as meeting the criteria for NOx lowest achievable emission rate (LAER) under ozone new source review. Con Edison submitted a NOX RACT analysis dated December 2011 and a RACT demonstration was provided for operation after July 1, 2014. These units currently utilize the state of the art NOx control technology for this type, and determined, there are no more effective available NOx control technologies. The
existing limits are proposed as RACT for these units and are specified in this permit under condition for 6 NYCRR Part 231-4.

6NYCRR Part 227.2(b)(1) This condition specifies a particulate emission limit for turbine units firing oil.

**6 NYCRR Parts 242, 243, 244 and 245.** Facility is subject CO2 Budget Trading Program, Clean Air Interstate Rule (CAIR) and are subject to the monitoring, recordkeeping, and reporting requirements.

40 CFR 63 Subpart JJJJ: Boilers are subject to the requirement of this rule. Facility has capped out of 40 CFR Subpart 63 DDDDD requirements by capping HAPs below the major source thresholds for HAPs.