

**Division of Air Resources
Permit Review Report**

Permit ID: 3-3346-00011/00017

Renewal Number: 3

Modification Number: 1 06/30/2021

Facility Identification Data

Name: DANSKAMMER GENERATING STATION

Address: 994 RIVER RD

NEWBURGH, NY 12550

Owner/Firm

Name: DANSKAMMER ENERGY LLC

Address: 994 RIVER RD

NEWBURGH, NY 12550, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

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Air Permitting Contact:

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Address: 994 RIVER RD

NEWBURGH, NY 12550

Phone:

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

Danskammer Energy, LLC (Danskammer Energy) is proposing to construct an approximately 536-megawatt (MW) primarily natural gas fired 1-on-1 combined cycle power facility (Danskammer Energy Center) on land at the site of its existing Danskammer Generating Station in the Town of Newburgh, Orange County, New York. The Station's existing generators will be retired once the combined cycle plant

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is complete. The proposed Danskammer Energy Center will result in a new modern energy center through installation of state-of-the-art power generation equipment. The proposed Project (combustion turbine) will be primarily fueled by natural gas with ultra-low sulfur diesel (ULSD) as a backup fuel for up to the full load equivalent of 720 hours per year.

The Danskammer Energy Center will consist of one (1) Mitsubishi M501JAC combustion turbine at the proposed project site. Hot exhaust gases from the combustion turbine will flow into one (1) heat recovery steam generator (HRSG). The HRSG will be equipped with a natural gas fired duct burner. The HRSG will produce steam to be used in the steam turbine. Upon leaving the HRSG, the turbine exhaust gases will be directed to one (1) exhaust stack. Other ancillary combustion equipment at the proposed project includes a natural gas fired auxiliary boiler, emergency diesel fire pumps, and an emergency diesel generator. Danskammer Energy is proposing to utilize pipeline quality natural gas as the primary fuel for the combustion turbine and duct burner with ULSD (with a maximum sulfur content of 0.0015% by weight) as a backup fuel for up to 720 full load hours per year.

Emissions from the combined cycle unit will be controlled by the use of dry low-NOx burner technology (during natural gas firing), water injection (during ULSD firing), Selective Catalytic Reduction (SCR) for nitrogen oxides (NOx) control, an oxidation catalyst for CO and volatile organic compounds (VOC) control, and the use of clean low-sulfur fuels (i.e., natural gas and ULSD) to minimize emissions of SO2, PM/PM-10/PM-2.5, and sulfuric acid (H2SO4). Spent steam from the steam turbine will be sent to an air cooled condenser (ACC) where it will be cooled to a liquid state and returned to the HRSG.

The proposed project is located in a U.S EPA designated attainment area for sulfur dioxide (SO2), nitrogen dioxide (NO2), carbon monoxide (CO), particulate matter (PM) with an aerodynamic diameter less than 10 micrometers (m) (PM-10), particulate matter with an aerodynamic diameter less than 2.5 m (PM-2.5), and ozone (O3). The existing Danskammer Generating Station is a fossil fuel fired steam electric plant with a heat capacity greater than 250 mmBtu/hr with potential emissions greater than 100 tons per year of any regulated criteria air pollutant. Thus, the existing facility is considered a major stationary source based upon the 6 New York Codes, Rules and Regulations (NYCRR) Part 231 New Source Review (NSR) regulation. Major modifications to existing major stationary sources are subject to 6 NYCRR Part 231 and U.S. EPA Prevention of Significant Deterioration (PSD) review, if net emissions increases are above the significant increase thresholds. The proposed net emissions increases for one or more criteria air pollutants may exceed the Part 231 significant increase thresholds and as such, the proposed Danskammer Energy Center will be subject to Part 231 and PSD review.

Attainment Status

DANSKAMMER GENERATING STATION is located in the town of NEWBURGH in the county of ORANGE.

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.)

Criteria Pollutant	Attainment Status
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Particulate Matter (PM)	ATTAINMENT
Particulate Matter< 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	MODERATE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT

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Carbon Monoxide (CO)	ATTAINMENT
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* 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:

The Danskammer Energy Center will consist of one (1) Mitsubishi M501JAC combustion turbine. Hot exhaust gases from the combustion turbine will flow into one (1) heat recovery steam generator (HRSG). The HRSG will be equipped with a natural gas fired duct burner. The HRSG will produce steam to be used in the steam turbine. Upon leaving the HRSG, the turbine exhaust gases will be directed to one (1) exhaust stack. Other ancillary combustion equipment at the proposed facility includes a natural gas fired auxiliary boiler, exempt emergency diesel fire pumps, an exempt emergency diesel generator, and an exempt fuel oil storage tank. Danskammer Energy is proposing to utilize pipeline quality natural gas as the primary fuel for the combustion turbine and duct burners with ultra-low sulfur distillate fuel oil (ULSD) as a backup fuel for up to 720 full load hours per year.

Permit Structure and Description of Operations

The Title V permit for DANSKAMMER 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.

DANSKAMMER GENERATING STATION is defined by the following emission unit(s):

Emission unit UDECEG - Emission Unit U-DECEG represents one emergency diesel generator firing ULSD. Maximum operation of the emergency diesel generator will be limited to 250 hours per year.

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

DECEG

Process: 005 Emergency diesel generator firing ULSD.

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Emission unit UDEC02 - Danskammer Energy is proposing to install and operate one (1) auxiliary boiler. The auxiliary boiler will have a maximum heat input of 96.0 mmBtu/hr (HHV) and will combust natural gas. Auxiliary boiler operation will not exceed the equivalent of 4,800 hours per year of full load operation and be permitted to operate simultaneously with the combustion turbines. The proposed boiler will be equipped with low-NO_x burners to control NO_x emissions. Low sulfur fuels will minimize the formation of PM/PM-10/PM-2.5 and SO₂. Good combustion practices and design will minimize CO and VOC emissions.

Emission unit UDEC02 is associated with the following emission points (EP):

DEC02

Process: 004 is located at GROUND - Process 004 for Emission Unit U-DEC02 represents natural gas firing in the auxiliary boiler.

Emission unit UDEC01 - Emission Unit U-DEC01 represents a Mitsubishi 501JAC combustion turbine rated at 3,302 mmBtu/hr when firing natural gas and 3,315 mmBtu/hr when firing ULSD at 0 degrees F and 100% load. The HRSG will be equipped with a natural gas fired duct burner rated at 744 mmBtu/hr.

Emission unit UDEC01 is associated with the following emission points (EP):

DEC01

Process: 001 Process 001 for Emission Unit U-DEC01 represents natural gas firing in the combustion turbine without operation of the duct burner. For this process, dry-Low NO_x burners and SCR are used to control NO_x emissions and an oxidation catalyst is used to control CO and VOC emissions.

Process: 002 Process 002 for Emission Unit U-DEC01 represents natural gas firing in the combustion turbine with operation of the duct burner. For this process, dry-Low NO_x burners and SCR are used to control NO_x emissions and an oxidation catalyst is used to control CO and VOC emissions.

Process: 003 Process 003 for Emission Unit U-DEC01 represents ULSD firing in the combined cycle combustion turbine. For this process, water injection and Selective Catalytic Reduction are used to control NO_x emissions. An oxidation catalyst will be used to control emissions of carbon monoxide and VOC.

Emission unit UDEC06 - Emission Unit U-DEC06 represents one emergency fire pump firing ULSD. Maximum operation of the fire pump will be limited to 250 hours per year.

Emission unit UDEC06 is associated with the following emission points (EP):

DEC06

Process: 006 Emergency fire pump firing ULSD.

Emission unit UD0001 - Danskammer Unit 1 is a 65 MW, tangentially-fired steam generating boiler capable of firing No. 6 fuel oil, biodiesel, and natural gas. The boiler has a maximum heat rating of 900 mmBtu/hr. This unit employs low excess air and combustion air manipulation as its NO_x emissions control technique.

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Emission unit UD0001 is associated with the following emission points (EP):

00001

Process: D10 is located at LOWER LEVEL, Building D1 - The combustion of No. 6 oil. The heat input rating of the boiler is 900 mmBtu/hr for No. 6 oil firing. Particulate emissions are controlled by a cold side electrostatic precipitator. Emissions of NO_x are reduced through the use of low excess air and combustion air manipulation.

Process: D1G is located at LOWER LEVEL, Building D1 - The combustion of natural gas. The heat input rating of the boiler is 900 mmBtu/hr for natural gas firing. Emissions of NO_x are reduced through the use of low excess air combustion air manipulation.

Emission unit UD0002 - Danskammer Unit 2 is a 65 MW, tangentially-fired steam generating boiler capable of firing No. 6 fuel oil, biodiesel, and natural gas. The boiler has a maximum heat rating of 900 mmBtu/hr. This unit employs low excess air and combustion air manipulation as its NO_x emissions control technique.

Emission unit UD0002 is associated with the following emission points (EP):

00002

Process: D20 is located at LOWER LEVEL, Building D2 - The combustion of No. 6 oil. The heat input rating of the boiler is 900 mmBtu/hr for No. 6 oil firing. Particulate emissions are controlled by a cold side electrostatic precipitator. Emissions of NO_x are reduced through the use of combustion air manipulation through the windbox.

Process: D2G is located at LOWER LEVEL, Building D2 - The combustion of natural gas. The heat input rating of the boiler is 900 mmBtu/hr for natural gas firing. Emissions of NO_x are reduced through the use of low excess air and combustion air manipulation.

Emission unit UD0003 - Danskammer Unit 3 is a 135 MW, dry-bottom, tangentially fired steam generating boiler capable of firing natural gas and torrefied wood. The boiler has a maximum heat input rating of 1,167 mmBtu/hr when firing natural gas, and will be similarly limited when firing torrefied wood. The unit employs separated over-fire air, burners-out-of-service, and low NO_x burners as its NO_x emissions control technique.

Emission unit UD0003 is associated with the following emission points (EP):

00003

Process: D3G is located at LOWER LEVEL, Building D3/D4 - The combustion of natural gas. The heat input rating of the boiler is 1167 mmBtu/hr for natural gas firing. Emissions of NO_x are reduced through the use of separated overfire air, burners-out-of-service (BOOS), and low NO_x burners.

Emission unit UD0004 - Danskammer Unit 4 is a 235 MW, dry-bottom, tangentially-fired steam generating boiler capable of firing natural gas. The boiler has a maximum heat input rating of 2,397 mmBtu/hr when firing natural gas. The unit employs separated over-fire air, burners-out-of-service, and low NO_x burners as its NO_x emissions control technique.

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Emission unit UD0004 is associated with the following emission points (EP):
00004

Process: D4G is located at LOWER LEVEL, Building D3/D4 - The combustion of natural gas. The heat input rating of the boiler is 2397 mmBtu/hr for natural gas firing. Emissions of NOx are reduced through the use of separated overfire air, burners-out-of-service (BOOS), and low NOx burners.

Title V/Major Source Status

DANSKAMMER GENERATING STATION is subject to Title V requirements. This determination is based on the following information:

Facility is major for Oxides of Nitrogen, Carbon Monoxide, and total Volatile Organic Compounds due to the Potential to Emit values exceeding the major source thresholds.

Program Applicability

The following chart summarizes the applicability of DANSKAMMER GENERATING STATION with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	YES
NSR (non-attainment)	YES
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	YES
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - 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 231-5, 231-6) - 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.

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NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - 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, 6 NYCRR 200.10) - 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, 6 NYCRR 200.10) - 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, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - 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 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 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, 6 NYCRR 200.10) - 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.

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SIC Code	Description
4911	ELECTRIC SERVICES

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.

SCC Code	Description
1-01-004-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION
	ELECTRIC UTILITY BOILER - RESIDUAL OIL Grade 6 Oil: Normal Firing
1-01-006-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION
	ELECTRIC UTILITY BOILER - NATURAL GAS Boilers > 100 MBtu/Hr except Tangential
1-02-006-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS
	Over 100 MBtu/Hr
1-02-006-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS
	10-100 MMBtu/Hr
2-01-002-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION
	ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - NATURAL GAS Turbine

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 of 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 for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. 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. 0NY100-00-0. 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.

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
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000106-99-0	1,3-BUTADIENE		0.025
000056-49-5	3-	0.01	
	METHYLCHOLANT		
	HRENE		
000057-97-6	7,12-	0.06	
	DIMETHYLBENZ[
	A]ANTHRACENE		
000083-32-9	ACENAPHTHENE	0.03	
000208-96-8	ACENAPHTHYLEN	0.06	
	E		
000075-07-0	ACETALDEHYDE	1137	
000107-02-8	ACROLEIN	185	
007664-41-7	AMMONIA		116.7
000120-12-7	ANTHRACENE	0.02	
007440-38-2	ARSENIC	27	
000000-10-3	BENZ(A)ANTHRA	0.01	
	CENE /		
	CHRYSENE		
000071-43-2	BENZENE	456	
000050-32-8	BENZO(A)PYREN	0.01	
	E		
000205-99-2	BENZO[B]FLUOR	0.01	
	ANTHENE		
000191-24-2	BENZO[G,H,I]P	0.01	
	ERYLENE		
000207-08-9	BENZO[K]FLUOR	0.01	
	ANTHENE		
007440-41-7	BERYLLIUM	0.8	
007440-43-9	CADMIUM	15.4	
000124-38-9	CARBON		1953018.6
	DIOXIDE		
0NY750-00-0	CARBON		1954952
	DIOXIDE		
	EQUIVALENTS		
000630-08-0	CARBON		115.6
	MONOXIDE		
007440-47-3	CHROMIUM	31.3	
000218-01-9	CHRYSENE	0.01	
007440-48-4	COBALT	0.3	
025321-22-6	DICHLOROBENZE	4.3	
	NE		
000100-41-4	ETHYLBENZENE	915	
000206-44-0	FLUORANTHENE	0.04	
000086-73-7	FLUORENE	0.11	
000050-00-0	FORMALDEHYDE	6099	
000110-54-3	HEXANE	6.14	
000193-39-5	INDENO[1,2,3-	0.01	
	CD]PYRENE		
007439-92-1	LEAD		0.02
007439-96-5	MANGANESE	1887	
007439-97-6	MERCURY	3.8	
0NY210-00-0	OXIDES OF		143.5
	NITROGEN		
000000-23-4	PAH, TOTAL	155.1	
0NY075-00-0	PARTICULATES		81.5
000085-01-8	PHENANTHRENE	0.3	
0NY075-02-5	PM 2.5		81.5
0NY075-00-5	PM-10		81.5
000115-07-1	PROPYLENE	823	
000129-00-0	PYRENE	0.04	
007782-49-2	SELENIUM	59.8	
007446-09-5	SULFUR		24.4
	DIOXIDE		
007664-93-9	SULFURIC ACID		22.1

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000108-88-3	TOLUENE	3716	
0NY100-00-0	TOTAL HAP		8.9
0NY998-00-0	VOC		58.6
00E966-68-9	XYLENE, META & PARA IN COMBINATION	1839	

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item B: Timely Application for the Renewal of Title V Permits -6 NYCRR 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 C: 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 D: 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 E: 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 F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

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Item G: Property Rights - 6 NYCRR 201-6.4(a)(6)

This permit does not convey any property rights of any sort or any exclusive privilege.

Item H: Severability - 6 NYCRR 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 I: 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 J: 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.

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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 K: Permit Exclusion - ECL 19-0305

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

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

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

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:

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- (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_02

**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.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description

FACILITY	ECL 19-0301	47	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A	1 -41	General provisions
U- DEC02/DEC02/004/AUXB1	40CFR 60-Dc.40c	1 -47	Steam generators 10-100 million Btu per hour
FACILITY	40CFR 60-IIIII	1 -42	Standards of Performance for

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				Stationary Compression Ignition Internal Combustion Engines
U- DEC01/DEC01/003/TURB1	40CFR 60-Kb	1	-46	NSPS for volatile organic liquid storage vessels- applicability and designation of affected facilities
U-DECEG	40CFR 63-A	1	-48	Subpart A - General Provisions apply to all NESHAP affected sources
U-DECFP	40CFR 63-A	1	-49	Subpart A - General Provisions apply to all NESHAP affected sources
FACILITY	40CFR 63-UUUUU	36		NESHAP for Coal- and Oil-Fired Electric Utility Steam Generating Units
FACILITY	40CFR 63-ZZZZ	37		Reciprocating Internal Combustion Engine (RICE) NESHAP COMPLIANCE ASSURANCE MONITORING
FACILITY	40CFR 64	1	-43	
FACILITY	40CFR 64.7	1	-44	CAM - Operation of approved monitoring
FACILITY	40CFR 68	19		Chemical accident prevention provisions
FACILITY	40CFR 72	1	-45	Permits regulation
FACILITY	40CFR 75-B.13(a)	39		Continuous emission monitoring - specific provisions for monitoring CO2 emissions
FACILITY	40CFR 75-C.20	40		CEM operation and maintenance requirements - certification and recertification procedures
FACILITY	40CFR 75-G.64(a)	41		CEM reporting requirements - quarterly reports
FACILITY	40CFR 82-F	20		Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	40CFR 97-AAAAA.406	42		Transport Rule (TR) NOx Annual Trading Program Standard Requirements
FACILITY	40CFR 97-CCCCC.606	43		Transport Rule (TR) SO2 Group 1 Trading Program Standard Requirements
FACILITY	40CFR 97-EEEEEE	44		CSAPR NOx Ozone Season Group 2
FACILITY	6NYCRR 200.6	1		Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	1	-2, 1 -4	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	1	-50	Unavoidable

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FACILITY	6NYCRR 201-1.7	11	noncompliance and violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage
			Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2(a)	13, 1 -3	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3(a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	21, 45, 46, 1 -5, 1 -6, 1 -7, 1 -8	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4(a)(8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4(c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4(c)(2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4(c)(3)(ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4(d)(4)	22	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4(e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4(f)	1 -9	Operational Flexibility
FACILITY	6NYCRR 202-1	1 -10	Emission Testing, Sampling and Analytical Determinations
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7, 1 -1	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.4	1 -11	Emission Statement - methods and procedures
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	49	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	23, 1 -12	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2(d)	1 -13	Sulfur-in-Fuel Limitation - Distillate Oil
FACILITY	6NYCRR 227-1.3(a)	1 -14	Particulate Emission Standards

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FACILITY	6NYCRR 227-1.4(a)	1	-15	Opacity Standard
FACILITY	6NYCRR 227-1.5(b)(2)	1	-16	Excess Emissions & Monitoring System Reports
FACILITY	6NYCRR 227-2.5(a)	28, 29, 30, 31		Fuel switching option.
FACILITY	6NYCRR 231-6	1	-17	Mods to Existing Major Facilities in Nonattainment and Attainment Areas of the State in the OTR
FACILITY	6NYCRR 231-6.5	1	-18, 1 -19, 1 -20, 1 -21, 1 -22, 1 -23, 1 -24, 1 -25, 1 -26, 1 -27	Lowest achievable emission rate, LAER
FACILITY	6NYCRR 231-6.6	1	-28	Emission offset requirements
FACILITY	6NYCRR 231-8.7	1	-29, 1 -30, 1 -31, 1 -32, 1 -33, 1 -34, 1 -35, 1 -36, 1 -37, 1 -38, 1 -39, 1 -40	Best available control technology (BACT)
FACILITY	6NYCRR 242-8.5	1	-51	CO2 Budget Trading Program - Recordkeeping and reporting
FACILITY	6NYCRR 249.3(a)	32, 33, 34, 35		BART Emission Limitation Requirements for Sources
U-DEC01/DEC01	6NYCRR 251.3(a)(1)	1	-52	Emission limits.
U-DEC01/DEC01	6NYCRR 251.3(b)	1	-53	Emission limits for non-modified sources.

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

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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

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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) (4)

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 202-1.1

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 there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

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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, DANSKAMMER GENERATING STATION has been determined to be subject to the following regulations:

40 CFR 60.40c

This regulation requires the source owner or operator to comply with the applicable General Provisions of 40 CFR 60 Subpart Dc. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

40 CFR 64.7

This section states the general requirements of operating and maintaining the monitoring system approved under the facility's CAM Plan.

40 CFR 75.13 (a)

This section specifies requirements in addition to the general monitoring requirements for the measurement of CO₂. c

40 CFR 75.20

This section requires the facility to ensure that each emission or opacity monitoring system, including automated data acquisition and handling systems, meet the initial certification requirements of this section. It requires that all applicable initial certification tests are completed by the deadlines specified in § 75.4 and prior to use in the Acid Rain Program.

40 CFR 75.64 (a)

This section requires the electronic submission of specific information. It details what information must be reported and when.

40 CFR 97.406

This condition provides the general requirements for implementing EPA's Transport Rule (TR) 40 CFR Part 97, Subpart AAAAA; intended to reduce the interstate transport of fine particulate matter and ozone. This particular condition requires facilities to measure and report their emissions of Nitrogen Oxide

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(NO_x) and to hold TR annual NO_x allowances sufficient to cover these emissions. Commonly referred to as a budget trading program, each State has an established 'budget' of emissions that are distributed or sold to facilities, which, in turn, can only emit as much as they hold in allowances.

40 CFR 97.606

This condition provides the general requirements for implementing EPA's Transport Rule (TR) 40 CFR Part 97, Subpart CCCCC; intended to reduce the interstate transport of fine particulate matter and ozone. This particular condition requires facilities to measure and report their emissions of sulfur dioxide (SO₂) annually and to hold TR annual SO₂ allowances sufficient to cover these emissions. Commonly referred to as a budget trading program, each State has an established 'budget' of emissions that are distributed or sold to facilities, which, in turn, can only emit as much as they hold in allowances.

40 CFR Part 60, Subpart A

This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40 CFR Part 60, Subpart IIII

Subpart IIII applies to new and reconstructed compression ignition reciprocating internal combustion engines. Sources subject to Subpart IIII must comply with emission standards for hydrocarbons, nitrogen oxides, carbon monoxide, and particulate matter.

40 CFR Part 60, Subpart Kb

Subpart Kb applies to volatile organic liquid storage vessels with a capacity greater than or equal to 75 cubic meters which commenced construction, reconstruction, or modification after July 23, 1984. Sources subject to Subpart Kb must comply with emission standards for volatile organic compounds.

40 CFR Part 63, Subpart A

The General Provisions in 40CFR63, Subpart A apply to facilities subject to other National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP) regulations in 40 CFR 63. These rules are also known as MACT rules since they are based on attaining Maximum Achievable Control Technology. Each MACT rule has a table or section that describe which portions of the General Provisions apply to facilities covered by that particular rule and which portions are overridden or do not apply. Note that NESHAP regulations found in 40CFR61 do **not** trigger the general provisions of 40CFR63.

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40 CFR Part 63, Subpart UUUUU

Description: This subpart establishes national emission limits and work practice standards for hazardous air pollutants emitted from coal- and oil-fired electric utility steam generating units. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limits and work practice standards.

40 CFR Part 63, Subpart ZZZZ

This regulation defines performance standards for stationary reciprocating internal combustion engines.

40 CFR Part 64

The federal Compliance Assurance Monitoring (CAM) rule, 40 CFR Part 64, requires monitoring of control device, capture system, and/or process parameters to provide a reasonable assurance of compliance with emission limitations or standards. It applies to emission units that use a control device to comply with certain standards and limitations and that have potential pre-control device emissions equal to or greater than a major source threshold.

Acid Rain program requirements; stratospheric ozone protection requirements; post-1990 New Source Performance Standards, Emission Guidelines, and National Emission Standards for Hazardous Air Pollutants; and some other limitations are exempt from CAM. However, many of the exempt requirements are subject to less stringent periodic monitoring under 40 CFR Part 70 and 6NYCRR Subpart 201-6.

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 NO_x (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.

40 CFR Part 97, Subpart EEEEE

40 CFR Part 97 Subpart EEEEE the NO_x Ozone Season Cross State Air Pollution Rule (CSAPR) is a regional (22 state) cap and trade program designed to reduce NO_x emissions during the ozone season (May - September) for large fossil fuel fired electric generating units that have a nameplate capacity of greater than 25 megawatts electrical and produce electricity

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for sale.

6 NYCRR 201-6.4 (f)

This section describes the potential for certain operational changes to be made by the facility owner or operator without first obtaining a permit modification. Changes made pursuant to this provision must meet all of the criteria described in this section to qualify for consideration as operational flexibility. The Department reserves the right to require the facility owner or operator to obtain a permit modification prior to making any changes at the facility pursuant to this section.

6 NYCRR 202-2.4

This regulation specifies that any required emission statement must be submitted to the Department before April 15 each year for emissions of the previous calendar year. The regulation also establishes a set of acceptable emissions estimation methods that may be used including the use of monitoring methods, if accepted by the department, and the transmittal of the emission statement information to the Department. Finally, such information may be designated as confidential, as per department approval, except for the following information: emissions, estimated emissions method, and the Source Classification Code.

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 225-1.2 (d)

This subdivision sets the sulfur-in-fuel limitation for distillate oil fired emission sources throughout the State.

6 NYCRR 227-1.3 (a)

This subdivision sets the particulate matter emission standards for subject stationary combustion installations.

6 NYCRR 227-1.4 (a)

This subdivisions sets the opacity standard for subject stationary combustion installations.

6 NYCRR 227-1.5 (b) (2)

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This paragraph contains the excess emissions and monitoring system reporting requirements for emission sources required to utilize a continuous opacity monitor.

6 NYCRR 227-2.5 (a)

Fuel switching NO_x RACT compliance option.

6 NYCRR 231-6.5

This section outlines what LAER is and how it is determined.

6 NYCRR 231-6.6

This section states what the emission offset requirements are for a facility subject to this Subpart.

6 NYCRR 231-8.7

This section outlines what BACT is and how it is determined.

6 NYCRR 242-8.5

This regulation requires the CO₂ authorized account representative to comply with all applicable recordkeeping and reporting requirements in section 242-8.5, the applicable record keeping and reporting requirements under 40 CFR 75.73 and with the certification requirements of section 242-2.1(e) of this Part.

6 NYCRR 249.3 (a)

6 NYCRR 251.3 (a) (1)

Emission limits for new or modified sources.

6 NYCRR 251.3 (b)

Emission limits for non-modified sources.

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6 NYCRR Subpart 202-1

This subpart of Part 202 establishes the general criteria for verifying emissions by means of emissions sampling, testing and associated analytical determinations.

6 NYCRR Subpart 231-6

This Subpart applies to modifications to existing major facilities in non-attainment areas and attainment areas of the State within the OTR.

Compliance Certification

Summary of monitoring activities at DANSKAMMER GENERATING STATION:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

FACILITY	36	record keeping/maintenance procedures
FACILITY	1-43	record keeping/maintenance procedures
FACILITY	1-44	monitoring of process or control device parameters as surrogate
FACILITY	39	record keeping/maintenance procedures
FACILITY	40	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	42	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
FACILITY	1-4	continuous emission monitoring (cem)
FACILITY	1-3	work practice involving specific operations
FACILITY	1-5	record keeping/maintenance procedures
FACILITY	1-6	record keeping/maintenance procedures
FACILITY	1-7	record keeping/maintenance procedures
FACILITY	1-8	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	1-1	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	1-12	monitoring of process or control device parameters as surrogate
FACILITY	1-13	work practice involving specific operations
FACILITY	1-14	intermittent emission testing
FACILITY	1-15	monitoring of process or control device parameters as surrogate
FACILITY	1-16	record keeping/maintenance procedures
FACILITY	28	continuous emission monitoring (cem)
FACILITY	29	continuous emission monitoring (cem)
FACILITY	30	work practice involving specific operations
FACILITY	31	work practice involving specific operations
FACILITY	1-17	continuous emission monitoring (cem)
FACILITY	1-18	monitoring of process or control device parameters

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FACILITY	1-19	as surrogate
FACILITY	1-20	intermittent emission testing
FACILITY	1-21	intermittent emission testing
		monitoring of process or control device parameters
		as surrogate
FACILITY	1-22	intermittent emission testing
FACILITY	1-23	monitoring of process or control device parameters
		as surrogate
FACILITY	1-24	intermittent emission testing
FACILITY	1-25	continuous emission monitoring (cem)
FACILITY	1-26	intermittent emission testing
FACILITY	1-27	monitoring of process or control device parameters
		as surrogate
FACILITY	1-28	record keeping/maintenance procedures
FACILITY	1-29	intermittent emission testing
FACILITY	1-30	continuous emission monitoring (cem)
FACILITY	1-31	monitoring of process or control device parameters
		as surrogate
FACILITY	1-32	monitoring of process or control device parameters
		as surrogate
FACILITY	1-33	monitoring of process or control device parameters
		as surrogate
FACILITY	1-34	intermittent emission testing
FACILITY	1-35	intermittent emission testing
FACILITY	1-36	intermittent emission testing
FACILITY	1-37	monitoring of process or control device parameters
		as surrogate
FACILITY	1-38	intermittent emission testing
FACILITY	1-39	intermittent emission testing
FACILITY	1-40	intermittent emission testing
FACILITY	1-51	record keeping/maintenance procedures
FACILITY	32	continuous emission monitoring (cem)
FACILITY	33	continuous emission monitoring (cem)
FACILITY	34	continuous emission monitoring (cem)
FACILITY	35	intermittent emission testing
U-DEC01/DEC01	1-52	continuous emission monitoring (cem)
U-DEC01/DEC01	1-53	continuous emission monitoring (cem)

Basis for Monitoring

The repowered Danskammer Energy Center will consist of one combustion turbine which will flow into one heat recovery steam generator (HRSG). The turbine exhaust gases will be directed to one exhaust stack. Natural gas is the primary fuel for the combustion turbine and duct burners with ultra-low sulfur distillate fuel oil (ULSD) as a backup fuel for up to 720 hours per year. Ancillary combustion equipment includes a natural gas fired auxiliary boiler, exempt emergency diesel fire pumps, an exempt emergency diesel generator, and an exempt fuel oil storage tank.

6 NYCRR 200.7

Ammonia emissions caused by the selective catalytic reduction system are continuously monitored to ensure that the 5.0 ppm limit on the combustion turbine is not exceeded. This limit will apply while firing both natural gas and ULSD.

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6 NYCRR 201-6

The facility must notify the Department when each Emission Unit (U-D0001, U-D0002, U-D0003 and U-D0004) from the previous Air Title V permit has ceased operation. When the new project is fully operational, the facility must not exceed an annual total of 10 cold gas-fired starts and 10 cold oil-fired starts on the main combustion generator turbine. The owner or operators shall monitor and record all occurrences of start-up and shutdown of the combustion turbines. This data shall consist of the duration of each start-up and shutdown event and the total pounds of emissions of NO_x, CO, and NH₃ as monitored with a CEM during the event. After the owner or operator has recorded 15 start-ups and 15 shutdowns, they must develop start-up and shutdown limits based on the recorded emissions data and propose those limits to the Department as a permit modification.

6 NYCRR 225-1

Danskammer is subject to the requirements of 6 NYCRR Part 225-1 because some facility equipment can burn fuel oil. The emergency generator and the fire pump engines will burn only ultra-low sulfur diesel with a sulfur content limit of 0.0015 percent by weight. The sulfur content of the oil must be verified for every oil delivery to ensure compliance with the limit. Reports must be submitted on a semi-annual basis. Fuel sulfur content records will also be used to demonstrate compliance with various BACT emission limits.

6 NYCRR Part 227-1.3

All stationary combustion installations are subject to a 20 percent opacity limit, using a 6-minute average and allowing for one 6-minute period per hour of not more than 27 percent opacity. The sources must be monitored while they are operating and corrective actions must be recorded if any are necessary. Reporting of any corrective actions taken or Method 9 Opacity Tests performed must be done on a semi-annual basis.

Reasonably Available Control Technology for Oxides of Nitrogen (NO_x RACT) – 6 NYCRR Part 227-2

A CEMS is utilized to monitor Ammonia, Nitrogen Oxides, Carbon Monoxide, and Carbon Dioxide emissions from the combustion turbine. Requirements for installing, operating and maintaining this system are described in 6 NYCRR Part 227-2.6(b) and 40 CFR Part 75.

The combustion turbine, associated duct burner, and auxiliary boiler are all subject to NO_x RACT requirements under 6 NYCRR Part 227-2 (Reasonably Available Control Technology for Major Facilities of Oxides of Nitrogen). The emission limits determined through the LAER analysis are more stringent than the presumptive limits in 227-2. The permit has been streamlined to include only the more stringent LAER limits in conditions cited to 6 NYCRR 231-6. Monitoring, performance testing, recordkeeping and reporting requirements under 227-2 still apply. The emergency generators and fire pump engine are all exempt from 227-2 requirements because of their emergency status.

6 NYCRR Part 231-6

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To satisfy LAER, the facility will use CEMs to monitor NO_x emissions from the combustion turbine. Stack testing will be performed once every five years to ensure compliance with VOC LAER emission limits.

To satisfy the emission offset requirements of Part 231, the facility will be obtaining the following Emission Reduction Credits (ERCs) from the shutdown of Danskammer Generating Station Emission Units D-0001, D-0002, D-0003 and D-0004:

NO_x - 44.2 tpy

VOC - 2.1 tpy

6 NYCRR Part 231-8

To satisfy BACT, the facility will use CEMs to monitor the CO emission limit.

The facility will achieve a heat rate of 6,925 Btu/KW-hr Gross (HHV) at ISO conditions during natural gas operation and at baseload without duct firing. This heat rate will be demonstrated during an initial performance test and once every five years following the initial testing.

Stack testing will be performed once every five years to ensure compliance with the emission limits for Sulfuric Acid and Particulates.

6 NYCRR Part 242

6 NYCRR Part 242 applies to any unit that serves an electricity generator with a capacity greater than 25 megawatts on or after January 1, 2005. The Danskammer Energy Center meets these criteria and is therefore subject to the requirements of Part 242. Part 242 requires Danskammer to participate in the CO₂ Budget Trading Program, and to maintain the necessary records and certifications to demonstrate compliance.

6 NYCRR Part 251

The facility is subject to CO₂ Performance Standards for Major Electric Generating Facilities under 6 NYCRR Part 251.

40 CFR 64

Emissions of volatile organic compounds (VOC) from the combustion turbine are subject to the Compliance Assurance Monitoring (CAM) requirements of 40 CFR Part 64. These emissions are controlled using an oxidation catalyst. Emissions of carbon monoxide (CO) are continuously monitored and used as a surrogate for VOC emissions.

The CAM monitoring approach is as follows:

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1. The facility owner or operator must continuously monitor and record the operating load of the combustion turbine and ensure it does not fall below the applicable limit during periods of steady state operation. Steady state operation does not include periods of start-up, shutdown, fuel switching, or any other periods approved by the Department. The facility owner or operator must develop and propose changes to this limit necessary to comply with the applicable VOC limits for the combustion turbine.

2. The facility owner or operator must conduct periodic performance tests for VOC emissions from the combustion turbine at various operating loads during periods of steady state operation. Steady state operation does not include periods of start-up, shutdown, fuel switching, or any other periods approved by the Department. During each test condition, the facility owner or operator must also record the output of the CO CEMs. If VOC and CO limits are shown to be in compliance with the applicable emission limit, the CO CEMs are considered to be an acceptable surrogate for VOC emissions.

3. During periods where the CO CEMs show an exceedence of the applicable limit, the facility owner or operator must also assume that there is an exceedence of the applicable VOC limit. All such exceedences must be documented and submitted as part of each semiannual compliance report.

4. The facility owner or operator shall maintain records of all information necessary to demonstrate compliance with the requirements of CAM at the facility for a period of at least five years, and must make such records available to the Department upon request.

For the purposes of Compliance Assurance Monitoring, the facility owner or operator shall ensure that the minimum operating load of the combustion turbine does not fall below 50% of the maximum load during periods of steady state operation. Steady state operation does not include periods of start-up, shutdown, fuel switching, or any other periods approved by the Department.

To satisfy the requirements of Compliance Assurance Monitoring, the facility owner or operators are required to perform stack testing for Volatile Organic Compounds (VOCs) at three loads of steady-state operation (minimum, median, and maximum) once every five years. The plant must demonstrate compliance with the VOC limit at each load and whether adjustments in the minimum load limit described in a separate permit condition are needed. During the test, the facility must also demonstrate compliance with the applicable carbon monoxide (CO) limit using the facility's CO CEMS. Testing will be performed at all operating scenarios described in the permit (i.e. natural gas firing with and without the duct burner and while firings ULSD).

40 CFR 60

The facility is subject to New Source Performance Standards and all applicable provisions of 40 CFR Part 60. The combustion turbine, duct burner, auxiliary boiler, emergency diesel engine generator, new emergency diesel fire pump, and fuel oil storage tank are subject to the general provisions for NSPS units in Subpart A. The emergency generator and fire pump are subject to the Subpart III emissions standards

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and requirements. The ULSD storage tank will be subject to the Subpart Kb requirements. The auxiliary boiler is subject to the provisions of Subpart Dc because it's maximum heat input capacity is between 10 and 100 mmBtu/hr.

40 CFR 63

The emergency generator and fire pump are subject to Subpart A which addresses the Maximum Achievable Control Technology (MACT). The facility is also subject to the emission standards for Reciprocating Internal Combustion Engines (RICE) under Subpart ZZZZ. The Combustion Turbine MACT standard under Subpart YYYYY only applies to major HAP sources. Since the project is not a major source of HAPs, Subpart YYYYY will not apply to the project. The existing Danskammer plant is subject to Subpart UUUUU but the new project will not be subject to this subpart.

40 CFR 72

The facility is required to apply for an Acid Rain Permit as stated in 40 CFR Part 72.

40 CFR 75

The project will follow 40 CFR 75 monitoring methodology and with 40 CFR Part 98 emission factors for CH₄ and N₂O to determine compliance.

40 CFR 97

Standard requirements for NO_x and SO₂ Trading Programs are included under 40 CFR Part 97, Subparts AAAAA, CCCCC, and EEEEE.