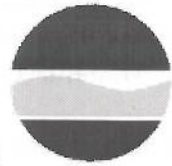


THIS IS NOT A PERMIT



**New York State Department of Environmental Conservation
Notice of Complete Application**

Date: 06/29/2011

Applicant: ASTORIA GENERATING COMPANY LP
18-01 20TH AVE
LONG ISLAND CITY, NY 11105-4271

Facility: ASTORIA GENERATING STATION
18-01 20TH AVE
ASTORIA, NY 11105

Application ID: 2-6301-00185/00009

Permits(s) Applied for: 1 - Article 19 Air Title V Facility
1 - Article 19 Title IV (Phase II Acid Rain)

Project is located: in QUEENS COUNTY

Project Description:

Notice of Complete Applications and Draft Environmental Impact Statement (DEIS)

The New York State Department of Environmental Conservation (DEC), as Lead Agency for State Environmental Quality Review (SEQR), has determined that the Draft Environmental Impact Statement (DEIS), draft Title IV and Title V air permits for the Luyster Creek Energy Project ("Project"), are complete for the purposes of public review and comment. DEC has prepared draft permits and has made a tentative determination to approve the application of Astoria Generating Company, L.P, ("Applicant") for a Project that will

The action involves two distinct components: the installation of an approximately 410 megawatt (MW) new combined cycle combustion turbine unit, and an emissions reduction strategy for the existing Astoria Generating Station (AGS). The new combustion turbine will be designed to start up and shutdown quickly, will utilize dry cooling, and have a stack height of approximately 180 feet. The project will be built on approximately 7.5 acres of the existing Fuel Oil Tank Farm (FOTF) parcel at the AGS within an area zoned for heavy manufacturing (industrial) use (M3-1). The new combustion turbine will be a Siemens H Series that is dual fuel-capable and burn natural gas as a primary fuel with ultra low sulfur diesel as backup fuel to be used for up to approximately 30 days annually. The use of ultra low sulfur diesel as backup fuel will require the addition of a new oil storage tank. Fuel delivery is currently via barge, and the Luyster Creek Energy Project will be electrically interconnecting into the grid via existing connections from the current units at AGS. The combustion turbine will operate in combined cycle mode and utilize an 84.7 mmBtu/hr gas only fired duct burner for supplemental firing. The project will also include the addition of a 30 mmBtu/hr heat input natural gas fired only auxiliary boiler.

The project will not significantly increase emissions from the facility. The facility will create future emission reduction credits (ERCs) which will be used as offsets to net the facility's emissions of all criteria contaminants below the significant increase thresholds. The ERCs used for netting will be generated by the shutdown of boiler 20 and the curtailment of operations of boilers 40 and 50 through federally enforceable permit limits. The total

proposed ERCs in tons per year (tpy) to be created are: 81.1 NO_x, 44.17 PM, 44.17 PM-10, 44.17 PM-2.5, and 2.23 VOC. Along with these ERCs the new project will cap to the following emission levels in tpy: 105.6 NO_x, 54.07 PM, 54.07 PM-10, 54.07 PM-2.5, 26.23 VOC.

The facility is located along the East River, approximately 2,400 feet northeast of the Astoria Generating station at 18-01 20th Avenue in Astoria, Borough of Queens, New York, within the larger 600+ acre Astoria ConEd Complex.

In accordance with 6NYCRR Parts 621.7(b)(9) and 201-6.4(c), the Administrator of the United States Environmental Protection Agency (USEPA) has the authority to bar issuance of any Title V Facility Permit if it is determined not to be in compliance with applicable requirements of the Clean Air Act or 6NYCRR Part 201.

Persons wishing to inspect the subject Title V files, including the application with all relevant supporting materials, the draft permit, and all other materials available to the DEC (the "permitting authority") that are relevant to this permitting decision should contact the DEC representative listed below. The Draft Permit and Permit Review Report may be viewed and printed from the Department web site at:

http://www.dec.ny.gov/dardata/boss/afs/draft_atv.html.

DEC will evaluate the applications and the comments received on it to determine whether to hold a public hearing. Comments and requests for a public hearing should be in writing and addressed to the Department representative listed below. A copy of the Department's permit hearing procedures is available upon request or on the Department web site at: <http://www.dec.ny.gov/permits/6234.html>.

DOCUMENT AVAILABILITY:

The DEIS, Title IV and V applications, the draft permit, and all relevant supporting materials are available for inspection at DEC (the "permitting authority") by contacting the DEC representative listed below, or by downloading or reviewing the documents at the following locations:

Available on-line at any time:

DEC website: <http://www.dec.ny.gov/permits/66991.html>

Luyster Creek Energy Project website: <http://www.uspowergen.com/projects/luyster-creek/>

Available during normal business hours:

NYS DEC Central Office - Division of Environmental Permits
625 Broadway, 4th Floor
Albany, New York 12233-1750

NYS DEC Region 2 Office - Division of Environmental Permits
47-40 21st Street
Long Island City, New York 11101

Community Board 1
36-01 35th Avenue
Astoria, NY 11106

Queens Borough Public Library
89-11 Merrick Boulevard
Jamaica, NY 11432

Queens Borough Branch Public Library Astoria Branch
14-10 Astoria Boulevard
Long Island City, NY 11102

PUBLIC HEARING AND COMMENT:

A legislative public hearing session for the receipt of public comments on the DEIS, permit application, and draft permits will be held on Thursday, August 24, 2011, at 3 PM and 7 PM, with open house sessions at 2 PM and 6 PM, at the following location:

Riccardo's, 21-01 24th Avenue, Astoria, NY 11102

For directions, you may access their website at www.riccardos.com

All persons, organizations, corporations, or government agencies that may be affected by the Project are invited to attend the hearing and to submit oral or written comments on the application. Lengthy comments should be submitted in writing, and equal weight will be given to both oral and written statements. A copy of DEC's permit hearing procedures is available upon request or on the DEC web site at:

<http://www.dec.ny.gov/permits/6234.html>.

Parties may also file written comments to the NYSDEC representative listed below. All written comments must be postmarked no later than Friday, September 9, 2011.

Contact: Stephen M. Tomasik, DEC - Division of Environmental Permits, 625 Broadway, 4th Floor, Albany, NY 12233-1750, Phone: (518) 402-9167, Fax: (518) 402-9168, E-mail: depprmt@gw.dec.state.ny.us.

Availability of Application Documents:

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

This project is subject to the Department's Environmental Justice Policy and an enhanced public participation plan has been prepared and accepted as a component of application completeness. As part of the plan, a document repository has been established near the project area that contains application and project related materials. Information on the repository location and other outreach components of the plan is available from the identified DEC contact.

State Environmental Quality Review (SEQR) Determination

A draft environmental impact statement has been prepared on this project and is on file.

SEQR Lead Agency NYS Department of Environmental Conservation

State Historic Preservation Act (SHPA) Determination

A cultural resources survey has been completed. Based on information provided in the survey report, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has determined that the proposed activity will have no impact on registered or eligible archaeological sites or historic structures. No further review in accordance with SHPA is required.

Coastal Management

This project is located in a Coastal Management area and is subject to the Waterfront Revitalization and Coastal Resources Act.

DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)

The proposed action is subject to CP-29. An enhanced public participation plan was submitted by the

applicant and has become part of the complete application.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 07/29/2011 or 30 days after the publication date of this notice, whichever is later.

Contact Person

STEPHEN M TOMASIK
NYSDEC
625 BROADWAY
ALBANY, NY 12233
(518) 402-9167
