

Facility DEC ID: 1472600237

**PERMIT  
Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 1-4726-00237/00010  
Effective Date: 05/24/2022 Expiration Date: 05/23/2032

Permit Issued To:US DEPT OF VETERANS AFFAIRS  
810 VERMONT AVE NW  
WASHINGTON, DC 20420

Contact: KHALID NAGIDI  
US DEPT OF VETERANS AFFAIRS MEDICAL CENTER  
79 MIDDLEVILLE RD  
NORTHPORT, NY 11768

Facility: NORTHPORT VA MEDICAL CENTER  
79 MIDDLEVILLE RD  
NORTHPORT, NY 11768

Description:  
This is a renewal of an Air State Facility permit. Northport Veterans Administration Medical Center operates a combined heat power source (CHP) gas fired, spark ignited, reciprocating engine 2 megawatts electric power output as well as four (4) dual fuel boilers, which require permitting. The facility's NOx emissions are capped below 24.2 tons per year

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: SHERRI L AICHER  
NYSDEC - REGION 1 SUNY @ STONY BROOK  
50 CIRCLE RD  
STONY BROOK, NY 11790-3409

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_

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### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

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**Facility Level**

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REGION 1 HEADQUARTERS

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

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

**Item 1.1:**  
 The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**  
 The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**  
 A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**  
**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**  
 Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 3: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**  
 The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**  
 The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

**Item 3.3**  
 Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

**Condition 4: Permit modifications, suspensions or revocations by the Department**

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**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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

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

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal - REGION 1 HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409  
(631) 444-0365

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**Permit Under the Environmental Conservation Law (ECL)**

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

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810 VERMONT AVE NW  
WASHINGTON, DC 20420

Facility: NORTHPORT VA MEDICAL CENTER  
79 MIDDLEVILLE RD  
NORTHPORT, NY 11768

Authorized Activity By Standard Industrial Classification Code:  
8062 - GENERAL MEDICAL & SURGICAL HOSPITALS  
8999 - SERVICES, NEC

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**Emission Unit Level**

**EU=1-00001**

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- 21 29 6 NYCRR 201-5.3 (c): CLCPA Applicability
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NOTE: \* preceding the condition number indicates capping.

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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 2/FINAL

\*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Sealing - 6 NYCRR 200.5**

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

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

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

**Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6**

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

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

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



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

(a) Except as otherwise provided by this Part, construction or operation of a new, modified or existing air contamination source without a registration or permit issued pursuant to this Part is prohibited.

(b) If an existing facility or emission source was subject to the permitting requirements of this Part at the time of construction or modification, and the owner or operator failed to apply for a permit or registration as described in this Part, the owner or operator must apply for a permit or registration in accordance with the provisions of this Part. The facility or emission source is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing emission sources.

**Item E: Recycling and Salvage - 6 NYCRR 201-1.7**

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

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

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

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

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

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

The owner and/or operator of an emission source or unit

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

**Item I: Required Emission Tests - 6 NYCRR 202-1.1**

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

**Item J: Open Fires Prohibitions - 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.

**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

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emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1: Facility Permissible Emissions**  
 Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 1.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY210-00-0	PTE: 48,400 pounds per year
Name: OXIDES OF NITROGEN	

**Condition 2: Capping Monitoring Condition**  
 Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 2.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

**Item 2.2:**

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

**Item 2.3:**

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

**Item 2.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an

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emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 2.5:**

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

**Item 2.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Total Facility NOx will be capped below 24.2 tons/year and monitored using a 12-month rolling total of the emissions from one (1) combined heat and power (CHP) gas fired spark ignited reciprocating engine, four (4) dual fired boilers and twenty four (24) emergency generators.

NOx emissions will be determined from the sum of the following formulas:

$$\text{CHP} + \text{BNG} + \text{BFO} + \text{EGs} < 600 \text{ hp} + \text{EGs} > 600 \text{ hp}$$

$$\text{CHP NOx (tons/month)} = (0.5 \text{ g NOx/bhp-hr} * 11\text{lb}/454 \text{ grams} * \text{hours operated/month} * 2,000 \text{ kw} * 1.341 \text{ hp/kw}) / 2,000 \text{ lbs/ton}$$

$$\text{BNG} = \text{Boilers Operating on Natural Gas NOx (tons/month)} = (100 \text{ lbs NOx}/10^6 \text{ scf gas} * \text{monthly scf gas burned}) / 2,000 \text{ lbs/ton}$$

$$\text{BFO} = \text{Boilers Operating on Fuel Oil NOx (tons/month)} = (0.14 \text{ lbs NOx}/\text{mmBTU} * 138,000 \text{ BTU}/\text{gal No.2 heat value} * \text{Monthly gallons fuel oil burned}) / 2,000 \text{ lbs/ton}$$

$$\text{EGs} < 600 \text{ hp} = \text{Emergency Generators less than 600 hp operating on fuel oil NOx (tons/month)} = (4.41 \text{ lbs NOx}/\text{mmBTU} * 138,000 \text{ BTU}/\text{gal No.2 heat value} * \text{Monthly gallons fuel oil burned}) / 2,000 \text{ lbs/ton}$$

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EGs > 600 hp = Emergency Generators greater than 600 hp  
operating on fuel oil NO<sub>x</sub> (tons/month) = (3.2 lbs  
NO<sub>x</sub>/mmBTU) \* 138,000 BTU/gal No.2 heat value \* Monthly  
gallons fuel oil burned)/2,000 lbs/ton

Data and calculations will be maintained at the facility  
for a period of at least five years.

Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 24.2 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2023.  
Subsequent reports are due every 12 calendar month(s).

**Condition 3: Visible Emissions Limited**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 3.1:**  
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Condition 4: Compliance Demonstration**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:6 NYCRR 222.6 (c)**

**Item 4.1:**  
The Compliance Demonstration activity will be performed for the facility:  
The Compliance Demonstration applies to:

Emission Unit: U-CHP01

**Item 4.2:**  
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

The owner or operator of an economic dispatch source must maintain on site or at an alternative location, as approved by the Department, records of operational data in a format acceptable to the Department. The following data must be recorded monthly and maintained for five years from the date the data were recorded:

(1) hours of operation;

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(2) type and quantity of fuel(s) used or purchased;  
and

(3) electricity generated by economic dispatch source in  
kilowatt-hours.

Monitoring Frequency: MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2023.  
Subsequent reports are due every 12 calendar month(s).

**Condition 5: Compliance Demonstration**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:6 NYCRR 225-1.2 (d)**

**Item 5.1:**  
The Compliance Demonstration activity will be performed for the Facility.

**Item 5.2:**  
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:  
Owners or operators of emission sources that fire  
distillate oil are limited to a 0.0015 percent sulfur  
content by weight of the fuel. Compliance with the  
sulfur-in-fuel limitation is based on fuel vendor  
receipts. All fuel vendor receipts must be maintained on  
site or at a Department approved alternative location for  
a minimum of five years.

Note - Process sources and incinerators must comply with  
the above requirements on or after July 1, 2023.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.0015 percent by weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2023.  
Subsequent reports are due every 12 calendar month(s).

**Condition 6: Compliance Demonstration**

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Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable Federal Requirement:6 NYCRR 227-1.4 (a)**

**Item 6.1:**

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

Emission Unit: 1-00001

Emission Unit: U-CHP01

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a stationary combustion installation subject to this Subpart shall operate an emission source which exhibits greater than 20 percent opacity (based on a six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The owner or operator will conduct a Method 9 test annually. A report of the results of the test will be submitted to the Department within 30 days of the completion of the Method 9 test. All records generated by the permittee must be maintained at the facility or at an alternative location approved by the Department for a minimum of five years.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60, Appendix A, Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2023.

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

**Condition 7: EPA Region 2 address.**

**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A**

**Item 7.1:**

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

Director, Division of Enforcement and Compliance Assistance  
USEPA Region 2  
290 Broadway, 21st Floor

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New York, NY 10007-1886

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

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

**Condition 8: Recordkeeping requirements.**  
Effective between the dates of 05/24/2022 and 05/23/2032

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

**Item 8.1:**

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

**Condition 9: Facility files for subject sources.**  
Effective between the dates of 05/24/2022 and 05/23/2032

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

**Item 9.1:**

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 10: Performance testing timeline.**  
Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable Federal Requirement:40CFR 60.8(a), NSPS Subpart A**

**Item 10.1:**

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

**Condition 11: Performance test methods.**  
Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable Federal Requirement:40CFR 60.8(b), NSPS Subpart A**



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**Item 11.1:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

**Condition 12: Prior notice.**  
 Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable Federal Requirement:40CFR 60.8(d), NSPS Subpart A**

**Item 12.1:**

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

**Condition 13: Number of required tests.**  
 Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable Federal Requirement:40CFR 60.8(f), NSPS Subpart A**

**Item 13.1:**

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

**Condition 14: Availability of information.**  
 Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A**

**Item 14.1:**

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

**Condition 15: Opacity standard compliance testing.**  
 Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A**

**Item 15.1:**

The following conditions shall be used to determine compliance with the opacity standards:

- 1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);
- 2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and
- 3) all other applicable conditions cited in section 60.11 of this part.

**Condition 16: Circumvention.**  
 Effective between the dates of 05/24/2022 and 05/23/2032

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**Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A**

**Item 16.1:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 17: Modifications.**

**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A**

**Item 17.1:**

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

**Condition 18: Reconstruction**

**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A**

**Item 18.1:**

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days (or as soon as practicable) prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

**Condition 19: Applicability**

**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:40CFR 60, NSPS Subpart JJJJ**

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**Item 19.1:**

Facilities that have stationary spark ignition internal combustion engines must comply with applicable portions of 40 CFR 60 subpart JJJJ.

**Condition 20: Test methods and procedures**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:40CFR 60.4244, NSPS Subpart JJJJ**

**Item 20.1: Owners and operators of stationary SI ICE who conduct performance tests**

**must** follow the procedures in paragraphs (a) through (f) of 40 CFR 60.4244, including :

- Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in §60.8 and under the specific conditions that are specified by Table 2 to this subpart.
- The performance tests shall not be conducted during periods of startup, shutdown, or malfunction, as specified in §60.8(c). If the stationary SI internal combustion engine is non-operational, the facility does not need to startup the engine solely to conduct a performance test, but must conduct the performance test immediately upon startup of the engine.
- The facility must conduct three separate test runs for each performance test required in this section, as specified in §60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

**Condition 21: Applicability**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:40CFR 63, Subpart JJJJJJ**

**Item 21.1:**

Facilities that are area sources of HAP with industrial, commercial, or institutional boilers must comply with applicable portions of 40 CFR 63 JJJJJJ.

**Condition 22: Applicability**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:40CFR 63, Subpart ZZZZ**

**Item 22.1:**

Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

**Condition 23: Engines at Area sources of HAP**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement:40CFR 63, Subpart ZZZZ**

**Item 23.1:**

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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.

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

**Condition 24: Compliance Demonstration**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable Federal Requirement: 6 NYCRR 227-1.4 (a)**

**Item 24.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00001

**Item 24.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil firing emission sources subject to 6 NYCRR Subpart 227-1 which do not employ a continuous opacity monitor for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each emission source which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
  - date and time of day
  - observer's name
  - identity of the emission point
  - weather conditions
  - was a plume observed?

Inclement weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry.

- 3) If the operator observes any visible emissions (other than steam - see below) for two consecutive days while firing oil (the firing of other fuels in between days of

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firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**\*\* NOTE \*\*** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Emergency Defense - 6 NYCRR 201-1.5**

An emergency, as defined in 6 NYCRR 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 demonstrate, 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 facility was being properly operated and maintained;

(3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the 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 any 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 malfunction provision contained in any applicable requirement.

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

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records.

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Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

The following conditions are state only enforceable.

**Condition 25: Contaminant List**

Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable State Requirement:ECL 19-0301**

**Item 25.1:**

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 26: Malfunctions and Start-up/Shutdown Activities**

Effective between the dates of 05/24/2022 and 05/23/2032

**Applicable State Requirement:6 NYCRR 201-1.4**

**Item 26.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the

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emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment maintenance and start-up/shutdown activities when they are expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when required by a permit condition or upon request by the department. Such reports shall state whether an exceedance occurred and if it was unavoidable, include the time, frequency and duration of the exceedance, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous monitoring and quarterly reporting requirements need not submit additional reports of exceedances to the department.

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, the air contaminants emitted, and the resulting emission rates and/or opacity.

(d) The department may also require the facility owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 27: Emission Unit Definition**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 27.1:**

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

Emission Unit: 1-00001

Emission Unit Description:

This emission unit, located in Building 203 includes four (4) dual fired boilers, three (3) are rated at 56.0 MMBtu/hr and one (1) boiler is rated at 28.0 MMBtu/hr. The boilers burn natural gas and ultra-low sulfur fuel oil. The boilers vent through individual stacks and provide heat and steam for the medical center complex.



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Building(s): 203

**Item 27.2:**

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

Emission Unit: U-CHP01

Emission Unit Description:

This emission unit, located in Building 203 includes one (1) combined heat power (CHP) 2G Energy, Inc. 2G Avus 2000gas fired, spark ignited, reciprocating engine, 2 megawatts electric output with thermal energy recovered from the exhaust gases in a heat recovery steam generator (HRSG), emitting through a dedicated stack emission point CHP01.

Building(s): 203

**Condition 28: Renewal deadlines for state facility permits  
Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable State Requirement:6 NYCRR 201-5.2 (c)**

**Item 28.1:**

The owner or operator of a facility having an issued state facility 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.

**Condition 29: CLCPA Applicability  
Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable State Requirement:6 NYCRR 201-5.3 (c)**

**Item 29.1:**

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

**Condition 30: Compliance Demonstration  
Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable State Requirement:6 NYCRR 201-5.3 (c)**

**Item 30.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 30.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 1  
SUNY at Stony Brook  
Building 40  
Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 31: Air pollution prohibited**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 31.1:**

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

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

**Condition 32: Emission Point Definition By Emission Unit**  
**Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 32.1:**

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

Emission Unit: 1-00001

Emission Point: A0001

Height (ft.): 42 Diameter (in.): 48  
NYTMN (km.): 4528.223 NYTME (km.): 642.233 Building: 203

Emission Point: B0001

Height (ft.): 42 Diameter (in.): 48  
NYTMN (km.): 4528.223 NYTME (km.): 642.233 Building: 203

Emission Point: C0001

Height (ft.): 42 Diameter (in.): 48

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NYTMN (km.): 4528.223    NYTME (km.): 642.233    Building: 203

Emission Point: D0001  
 Height (ft.): 42                      Diameter (in.): 48  
 NYTMN (km.): 4528.223    NYTME (km.): 642.233    Building: 203

**Item 32.2:**

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

Emission Unit: U-CHP01  
  
 Emission Point: CHP01  
 Height (ft.): 35                      Diameter (in.): 24  
 NYTMN (km.): 4528.026    NYTME (km.): 642.353    Building: 203

**Condition 33:    Process Definition By Emission Unit  
 Effective between the dates of 05/24/2022 and 05/23/2032**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 33.1:**

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

Emission Unit: 1-00001  
 Process: 2CG                              Source Classification Code: 1-03-006-02  
 Process Description:  
 Four (4) dual fired boilers, three (3) are rated at 56.0 MMBtu/hr and one (1) boiler is rated at 28.0 MMBtu/hr. The boilers burn Natural Gas. The boilers vent through individual stacks and provide heat and steam for the medical center complex.

Emission Source/Control: A0001 - Combustion  
 Design Capacity: 56 million Btu per hour

Emission Source/Control: B0001 - Combustion  
 Design Capacity: 28 million Btu per hour

Emission Source/Control: C0001 - Combustion  
 Design Capacity: 56 million Btu per hour

Emission Source/Control: D0001 - Combustion  
 Design Capacity: 56 million Btu per hour

**Item 33.2:**

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

Emission Unit: 1-00001  
 Process: A01                              Source Classification Code: 1-03-005-02  
 Process Description:  
 Four (4) dual fired boilers, three (3) are rated at 56.0 MMBtu/hr and one (1) boiler is rated at 28.0 MMBtu/hr. The boilers burn Ultra Low Sulfur Fuel Oil. The boilers vent

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through individual stacks and provide heat and steam for the medical center complex.

Emission Source/Control: A0001 - Combustion  
Design Capacity: 56 million Btu per hour

Emission Source/Control: B0001 - Combustion  
Design Capacity: 28 million Btu per hour

Emission Source/Control: C0001 - Combustion  
Design Capacity: 56 million Btu per hour

Emission Source/Control: D0001 - Combustion  
Design Capacity: 56 million Btu per hour

**Item 33.3:**

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

Emission Unit: U-CHP01  
Process: 1CG Source Classification Code: 2-01-002-02  
Process Description:

One (1) combined heat power (CHP) 2G Energy, Inc. 2G Avus 2000 gas fired, spark ignited, reciprocating engine, 2 megawatts electric output with thermal energy recovered from the exhaust gases in a heat recovery steam generator (HRSG).

Emission Source/Control: CHP01 - Combustion  
Design Capacity: 17.86 million Btu per hour

Emission Source/Control: CAT01 - Control  
Control Type: CATALYTIC OXIDATION

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