

Facility DEC ID: 2610700012

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 2-6107-00012/00011  
Effective Date: 10/23/2019 Expiration Date: 10/22/2024

Permit Issued To: NYC HEALTH & HOSPITALS CORP  
125 Worth St  
New York, NY 10013-4006

Contact: DANIEL COLLINS  
NYCHHC CONEY ISLAND HOSPITAL  
2601 OCEAN PKWY  
BROOKLYN, NY 11235  
(718) 616-4127

Facility: NYC-HH - CONEY ISLAND HOSPITAL  
2601 OCEAN PKWY @ AVE Z  
BROOKLYN, NY 11235

Contact: TYRONE BURGESS  
NYC-HH CONEY ISLAND HOSPT - SR STATIONARY ENGINEER  
2601 OCEAN PKWY BLDG 6 RM 205  
BROOKLYN, NY 11235-7745  
(718) 616-4329

Description:  
CONEY ISLAND HOSPITAL CURRENTLY HAS TITLE V PERMIT TO OPERATE THREE (3) IDENTICAL CLEAVER BROOKS BOILERS EACH RATED 20.412 MMBTU/HR. ALL THREE BOILERS FIRE NATURAL GAS AND NO. 2 FUEL OIL (AS BACKUP FUEL). THE EMISSIONS VENT VIA A COMMON STACK.

IN ADDITION, THE HOSPITAL OPERATES A FEW EXCEMPT SOURCES THAT INCLUDE TWO (2) EMERGENCY DIESEL GENERATORS (no CDRP/PLM PARTICIPATION). ONE (1) LABORATORY FUME HOOD AND SEVEN (7) FUEL OIL TANKS.

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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:           STEPHEN A WATTS  
  47-40 21ST ST  
  LONG ISLAND CITY, NY 11101-5401

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**

- 5 5 Submission of application for permit modification or renewal -  
REGION 2 HEADQUARTERS

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**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**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.

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**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**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 2 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 2 Headquarters  
Division of Environmental Permits  
1 Hunters Point Plaza, 4740 21st Street  
Long Island City, NY 11101-5407  
(718) 482-4997

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

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NYC HEALTH & HOSPITALS CORP  
125 Worth St  
New York, NY 10013-4006

Facility: NYC-HH - CONEY ISLAND HOSPITAL  
2601 OCEAN PKWY @ AVE Z  
BROOKLYN, NY 11235

Authorized Activity By Standard Industrial Classification Code:  
8062 - GENERAL MEDICAL & SURGICAL HOSPITALS

Permit Effective Date: 10/23/2019

Permit Expiration Date: 10/22/2024

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- 15 10 6 NYCRR 200.7: Maintenance of Equipment
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- 19 28 6 NYCRR 211.2: Visible Emissions Limited
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- 22 **Emission Unit Level**
- 22 35 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 22 36 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
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- 25 38 6 NYCRR 227-1.3 (a): Compliance Certification
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- 27 41 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
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- 28 44 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Certification
- 30 45 40CFR 60.44c(h), NSPS Subpart Dc: Alternative compliance methods for sulfur dioxide.
- 30 46 40CFR 60.47c, NSPS Subpart Dc: Compliance Certification
- 31 47 40CFR 60.48c, NSPS Subpart Dc: Recordkeeping and reporting.
- 31 48 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Certification
- 32 49 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Certification
- 33 50 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Certification
- 33 51 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification
- 34 52 40CFR 60.48c(g)(3), NSPS Subpart Dc: Reporting and Recordkeeping Requirements
- 34 53 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Certification

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- 37 54 ECL 19-0301: Contaminant List
- 37 55 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 38 56 6 NYCRR 211.1: Air pollution prohibited

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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 3/FINAL

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

- 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 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 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 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 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

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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.

**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 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 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;

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- 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 201-6.4 (i)**

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of 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 the 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 section 201- 6.6 of this Subpart.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

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**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.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.**

**Condition 1: Acceptable Ambient Air Quality  
Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement: 6 NYCRR 200.6**

**Item 1.1:**

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.

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**Condition 2: Fees**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)**

**Item 2.1:**

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 3: Recordkeeping and Reporting of Compliance Monitoring**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c)**

**Item 3.1:**

The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii)The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

**Condition 4: Records of Monitoring, Sampling, and Measurement**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (2)**

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

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**Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)****Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.
- (4) This permit may contain a more stringent reporting

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requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.



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All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2020.

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

**Condition 6: Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related record keeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.

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ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Air Compliance Branch  
USEPA Region 2 DECA/ACB  
290 Broadway, 21st Floor  
New York, NY 10007

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
Hunters Point Plaza  
47-40 21st Street  
Long Island City, NY 11101-5407

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)

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Reports due 45 days after the reporting period.  
The initial report is due 5/15/2020.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 7.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 202-2.5**

**Item 8.1:**  
(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
  - (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.
- (b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 9: Open Fires - Prohibitions**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 9.1:**  
Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

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**Item 9.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.**

**[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall**

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be specified as "not applicable".]

**Condition 10: Maintenance of Equipment**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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.

**Condition 11: Recycling and Salvage**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 11.1:**

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 12: Recycling and Salvage**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 12.1:**

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 13: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 13.1:**

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.

**Condition 14: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)**

**Item 14.1:**

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them

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available to representatives of the department upon request.

**Condition 15: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-3.3 (a)**

**Item 15.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 16: Requirement to Provide Information**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)**

**Item 16.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 17: Right to Inspect**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)**

**Item 17.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

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**Condition 18: Off Permit Changes**

Effective between the dates of 10/23/2019 and 10/22/2024

**Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)****Item 18.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

**Condition 19: Required Emissions Tests**

Effective between the dates of 10/23/2019 and 10/22/2024

**Applicable Federal Requirement:6 NYCRR 202-1.1****Item 19.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

**Condition 20: Accidental release provisions.**

Effective between the dates of 10/23/2019 and 10/22/2024

**Applicable Federal Requirement:40 CFR Part 68****Item 20.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously

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submitted) one of the following, if such quantities are present:

1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,

2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
C/O CSC  
8400 Corporate Dr  
Carrollton, Md. 20785

**Condition 21: Recycling and Emissions Reduction**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 21.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 22: Emission Unit Definition**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

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

**Item 22.1:**

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

Emission Unit: U-00001

Emission Unit Description:

THIS UNIT CONSISTS OF THREE (3) CLEAVER  
BROOKS BOILERS (20.412 MILLION BTU/HR)  
FIRING NATURAL GAS AND NO.2 FUEL OIL.  
THE FLUE GASES FROM THESE BOILERS EXIT  
THROUGH A COMMON STACK.

Building(s): 1

**Condition 23: Progress Reports Due Semiannually**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)**

**Item 23.1:**



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Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 24: Notification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 202-1.2**

**Item 24.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 25: Acceptable procedures**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 202-1.3**

**Item 25.1:**

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

**Condition 26: Acceptable procedures - Stack test report submittal**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 202-1.3**

**Item 26.1:**

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

**Condition 27: Alternate test methods**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 202-1.3**

**Item 27.1:**

Alternate emission test methods or deviations from acceptable test methods may be utilized if it is impractical to utilize the acceptable test methods or where no applicable test method is available, if prior acceptance of the proposed alternate method is granted by the commissioner.

**Condition 28: Visible Emissions Limited**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

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**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 28.1:**

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 29: Compliance Certification**

**Effective between the dates of 10/23/2019 and 10/22/2024**

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

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

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: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 30: Record Availability**

**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 225-1.6 (d)**

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**Item 30.1: Facility owners required to maintain and retain records pursuant to this Subpart must make such records available for inspection by the Department.**

**Condition 31: Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 225-1.6 (f)**

**Item 31.1:**  
 The Compliance Certification activity will be performed for the Facility.

**Item 31.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

Facility owners subject to this Subpart must submit a written report of the fuel sulfur content exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable equivalent emission rate, and the nature and cause of such exceedances if known, for each calendar quarter, within 30 days after the end of any quarterly period in which an exceedance takes place.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 32: Corrective action.**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 227-1.6 (b)**

**Item 32.1:**  
 The commissioner may seal such stationary combustion installation so as to prevent any operation if the conditions of paragraphs 6 NYCRR Part 227-1.6(a)(1)-(3) are not met within the time provided by the order of final determination issued in the case of the violation.

**Condition 33: Corrective action.**

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Effective between the dates of 10/23/2019 and 10/22/2024

Applicable Federal Requirement:6 NYCRR 227-1.6 (c)

**Item 33.1:**

No person shall cause, permit, or allow the operation of any affected stationary combustion installation sealed by the commissioner in accordance with this section.

**Condition 34: Corrective action.**

Effective between the dates of 10/23/2019 and 10/22/2024

Applicable Federal Requirement:6 NYCRR 227-1.6 (d)

**Item 34.1:**

No person except the commissioner or his representative shall remove, tamper with, or destroy any seal affixed to any affected stationary combustion installation.

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

**Condition 35: Emission Point Definition By Emission Unit**

Effective between the dates of 10/23/2019 and 10/22/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-6

**Item 35.1:**

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

Emission Unit: U-00001

Emission Point: E0003

Height (ft.): 140

Diameter (in.): 84

NYTMN (km.): 4493.323

NYTME (km.): 587.433

Building: 1

**Condition 36: Process Definition By Emission Unit**

Effective between the dates of 10/23/2019 and 10/22/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-6

**Item 36.1:**

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

Emission Unit: U-00001

Process: NGB

Source Classification Code: 1-03-006-02

Process Description:

Process BNG is when the 3 boilers rated 20.412 mmBtu/hr fire natural gas and flue gases will exit via a common stack

Emission Source/Control: S0006 - Combustion

Design Capacity: 20.412 million Btu per hour

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Emission Source/Control: S0007 - Combustion  
 Design Capacity: 20.412 million Btu per hour

Emission Source/Control: S0008 - Combustion  
 Design Capacity: 20.412 million Btu per hour

**Item 36.2:**

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

Emission Unit: U-00001  
 Process: OIB Source Classification Code: 1-03-005-02  
 Process Description:  
 Process BOI is when 3 boilers rated 20.412 mmBtu/hr fire  
 no. 2 fuel oil and flue gases exit via a common stack

Emission Source/Control: S0006 - Combustion  
 Design Capacity: 20.412 million Btu per hour

Emission Source/Control: S0007 - Combustion  
 Design Capacity: 20.412 million Btu per hour

Emission Source/Control: S0008 - Combustion  
 Design Capacity: 20.412 million Btu per hour

**Condition 37: Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 227-1.3**

**Item 37.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001  
 Process: OIB Emission Source: S0006

Emission Unit: U-00001  
 Process: OIB Emission Source: S0007

Emission Unit: U-00001  
 Process: OIB Emission Source: S0008

**Item 37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

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1) Observe the stack for each boiler 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 emission point
- weather condition
- 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) two consecutive days firing oil (the firing of other fuels in between days of 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: DAILY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2020.

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

**Condition 38: Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 227-1.3 (a)**

**Item 38.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 38.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
 DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2020.

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

**Condition 39: Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:6 NYCRR 227-2.4 (d)**

**Item 39.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: OIB

Emission Source: S0006

Emission Unit: U-00001

Process: OIB

Emission Source: S0007

Emission Unit: U-00001

Process: OIB

Emission Source: S0008

Permit ID: 2-6107-00012/00011

Facility DEC ID: 2610700012

Regulated Contaminant(s):

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

**Item 39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a small boiler, small combustion turbine, or small internal combustion engine must perform an annual tune-up of their equipment. This tune-up should be performed in accordance with the requirements of the DAR-5 guidance document. Records of each tune-up must be kept on-site for a minimum of five years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 45 days after the reporting period.

The initial report is due 5/15/2020.

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

**Condition 40: Compliance Certification**

Effective between the dates of 10/23/2019 and 10/22/2024

**Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)**

**Item 40.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00001

Process: OIB

Emission Source: S0006

Emission Unit: U-00001

Process: OIB

Emission Source: S0007

Emission Unit: U-00001

Process: OIB

Emission Source: S0008

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

At the monitoring frequency stated below the facility



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shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES  
 Upper Permit Limit: 0.10 pounds per million Btus  
 Reference Test Method: EPA RM 5  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 4/30/2020.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 41: Applicability of General Provisions of 40 CFR 60 Subpart A Effective between the dates of 10/23/2019 and 10/22/2024**

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

**Item 41.1:**

This Condition applies to Emission Unit: U-00001

**Item 41.2:**

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

**Condition 42: EPA Region 2 address. Effective between the dates of 10/23/2019 and 10/22/2024**

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

**Item 42.1:**

This Condition applies to Emission Unit: U-00001

Permit ID: 2-6107-00012/00011

Facility DEC ID: 2610700012

**Item 42.2:**

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

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

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

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

**Condition 43:     Applicability of this Subpart to this emission source**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:40CFR 60.40c, NSPS Subpart Dc**

**Item 43.1:**

This Condition applies to   Emission Unit: U-00001

**Item 43.2:**

This emission source is subject to 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.

**Condition 44:     Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:40CFR 60.43c(c), NSPS Subpart Dc**

**Item 44.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

Permit ID: 2-6107-00012/00011

Facility DEC ID: 2610700012

CAS No: 0NY075-00-0 PARTICULATES

**Item 44.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

On and after the date on which the initial performance test is completed or required to be completed under §60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts coal, wood or oil and has a heat input capacity of 30 million BTU per hour or greater shall cause to be discharged into the atmosphere from an affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

Operators of air contamination sources that are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack(s) or vent(s) 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:

- weather condition
- was a plume observed?

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) two consecutive days, then the 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.

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**\*\* 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.

Parameter Monitored: OPACITY  
Upper Permit Limit: 27 percent  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2020.  
Subsequent reports are due every 6 calendar month(s).

**Condition 45: Alternative compliance methods for sulfur dioxide.  
Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:40CFR 60.44c(h), NSPS Subpart Dc**

**Item 45.1:**

This Condition applies to Emission Unit: U-00001

**Item 45.2:**

Facilities demonstrating compliance through vendor certification shall follow the compliance procedures listed in paragraphs 40 CFR 60-Dc.48c(f)(1), (2), or (3), as applicable.

**Condition 46: Compliance Certification  
Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:40CFR 60.47c, NSPS Subpart Dc**

**Item 46.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 46.2:**

Permit ID: 2-6107-00012/00011

Facility DEC ID: 2610700012

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of an affected facility that combusts residual oil, coal or wood and has heat input capacity greater than 30 mmbtu/hr shall cause to be discharged into the atmosphere from that affected facility any gases that exhibit greater than 20 percent opacity averaging over 6-minutes, except for one 6-minute period per hour of not more than 27% opacity.

Facilities combusting oil subject to section 40 CFR 60-Dc.43c shall install, calibrate, maintain, and operate CEMs for opacity. All CEMs shall be operated in accordance with appendix B of part 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 27 percent

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2020.

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

**Condition 47: Recordkeeping and reporting.**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable Federal Requirement:40CFR 60.48c, NSPS Subpart Dc**

**Item 47.1:**

This Condition applies to Emission Unit: U-00001

**Item 47.2:**

The facility shall maintain reports and records in accordance with the provisions of this section 40 CFR 60-Dc.48c.

**Condition 48: Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

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

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 48.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 2-6107-00012/00011

Facility DEC ID: 2610700012

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by 40 CFR 60.7 of this part. This notification shall include:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 49: Compliance Certification**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

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

**Item 49.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit semi-annual reports to the Administrator.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2020.

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

Permit ID: 2-6107-00012/00011

Facility DEC ID: 2610700012

**Condition 50: Compliance Certification**

Effective between the dates of 10/23/2019 and 10/22/2024

Applicable Federal Requirement: 40CFR 60.48c(f)(1), NSPS Subpart Dc

**Item 50.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Fuel supplier certification shall include the following information for distillate oil:

- i) The name of the oil supplier, and
- ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c. 60-Dc 41c defines distillate oil as fuel that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils.
- iii) The sulfur content or maximum sulfur content of the oil.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2020.

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

**Condition 51: Compliance Certification**

Effective between the dates of 10/23/2019 and 10/22/2024

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

**Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Permit ID: 2-6107-00012/00011

Facility DEC ID: 2610700012

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. The facility shall record and maintain records of the amount of fuels combusted during each calendar month in the source, provided that the facility only burns very low sulfur fuel oil or other liquid or gaseous fuels with a potential sulfur dioxide (SO<sub>2</sub>) emissions rate of 0.32 lb/MMBtu (140 ng/J) heat input or less.
2. The records for the amount of fuel burned monthly must be made available for review upon request.

Monitoring Frequency: MONTHLY

Averaging Method: CALENDAR MONTH TOTAL

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2020.

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

**Condition 52: Reporting and Recordkeeping Requirements**  
Effective between the dates of 10/23/2019 and 10/22/2024

**Applicable Federal Requirement:40CFR 60.48c(g)(3), NSPS Subpart Dc**

**Item 52.1:**

This Condition applies to Emission Unit: U-00001

**Item 52.2:**

As an alternative to meeting the requirements of 40 CFR 60.48c(g)(1), the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to this subpart) at that property are natural gas, wood, distillate oil meeting the most current requirements in 40 CFR 60.42c to use fuel certification to demonstrate compliance with the SO<sub>2</sub> standard, and/or fuels, excluding coal and residual oil, not subject to an emissions standard (excluding opacity) may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.

**Condition 53: Compliance Certification**  
Effective between the dates of 10/23/2019 and 10/22/2024

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

**Item 53.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 53.2:**



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Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record, for determining compliance with the NSPS requirements.

**\*\* NOTE\*\*** Records shall be maintained for a minimum of five years to achieve compliance with the requirements of Title V.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2020.

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

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

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

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

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

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

**Item B: 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

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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 applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 54: Contaminant List**

**Effective between the dates of 10/23/2019 and 10/22/2024**

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

**Item 54.1:**

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

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

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

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

**Condition 55: Malfunctions and start-up/shutdown activities**

**Effective between the dates of 10/23/2019 and 10/22/2024**

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

**Item 55.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the 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 malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in

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an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, 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 stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and 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. 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, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the 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 56: Air pollution prohibited**  
**Effective between the dates of 10/23/2019 and 10/22/2024**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 56.1:**

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.

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