

Facility DEC ID: 2630700339

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
 Permit ID: 2-6307-00339/00002  
 Effective Date: 06/07/2019 Expiration Date: 06/06/2024

Permit Issued To: NORTH SHORE TOWERS APARTMENTS INC  
 272-40 GRAND CENTRAL PKWY  
 FLORAL PARK, NY 11005-1302

Contact: SALVATORE N CASTRO  
 NORTH SHORE TOWERS APARTMENTS INC  
 272-40 GRAND CENTRAL PKWY  
 FLORAL PARK, NY 11005  
 (718) 423-3335

Facility: N SHORE TOWERS APT TOTAL ENERGY PLANT  
 272-40 GRAND CENTRAL PKWY  
 FLORAL PARK, NY 11005

Contact: SALVATORE N CASTRO  
 NORTH SHORE TOWERS APARTMENTS INC  
 272-40 GRAND CENTRAL PKWY  
 FLORAL PARK, NY 11005  
 (718) 423-3335

Description:  
 The North Shore Towers located at 272-40 Grand Central Parkway; Floral Park is an 1844-Unit Cooperative apartment complex on the Queens-Nassau Counties border. On the premises of the complex, the management owns and operates an Integral Total Energy Plant. The Plant is located at 272-40 Grand Central Parkway, Floral Park. There is no tie-in to the local electrical utility. The plant provides heat, air conditioning, hot water and electricity for the entire apartment complex. The Standard Industrial Classification (SIC) for this facility is 6513 - Apartment Building Operators.

The Plant consists of three Chicago Pneumatic (emission sources 0001A, 0001B, 0001F), 1500 kilowatt each and three Caterpillar (emission sources 0001G, 0001H, 0001I), 1640 kilowatt each, engine-generators; four boilers each rated at 29.29 MM Btu/hr heat input, one 10kW emergency power generator which operates less than 500 hours per year and seven underground fuel oil storage tanks.

The three 1500 kilowatt engines operate at or below 1,150 kw when burning dual fuels (Natural Gas and #2 distillate oil) and at or below 1,250 kw when burning #2 distillate oil. These engines have heat recovery units and vent their air emissions through a common stack. The three 1500 kilowatt engines are dual-fuel type and operate on 94% Natural Gas with a 6% #2 fuel oil Pilot Flame and can operate with fuel oil only.

The facility replaced under Air State Facility Permit 2-6307-00339/00003 three (emission

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sources 0001C, 0001D, 0001E) of its original six old Chicago Pneumatic dual fired engines with new Caterpillar internal combustion engines (emission sources 0001G, 0001H, 0001I) and created 59.5 tons of NOx ERCs and 15.50 tons of VOC ERCs of which 40.87 tons of NOx were used to keep the facility bellow the New Source Review trigger of 25 tons per year. To avoid New Source Review requirements, the annual VOC emissions are limited to 24.9 tons per year on a rolling monthly basis. The netting yields an annual NOx limit of 65.76 tons per year on a rolling monthly basis.

The boilers can fire either natural gas or fuel oil and are combined to a common stack.

Oxide of Nitrogen emissions from this facility is 25 or more tons per year and is subject to Subparts 201-6, Title V Permits, 227-2, Reasonably Available Control Technology (RACT) for Oxides of Nitrogen (NOx).

The oxides of nitrogen emissions resulting from the operation of the three 1500 kilowatt dual fired engines are limited to 4.0 grams per brake-horsepower-hour on an annual average rolled monthly basis, and are based on the NOx RACT variance of April 2018.

The oxides of nitrogen emission limit for the three new engines under emission unit U-FAC03, installed after July 1, 2010, is 1.0 grams per brake horsepower-hour as required by 40CFR60 Subpart JJJJ. Hence, these engines would be in compliance with the presumptive NOx limit under Subpart 227-2 of 1.5 grams per brake horsepower-hour.

Starting July 1, 2014, the oxides of nitrogen emissions resulting from the operation of the facility's boilers are limited to 0.107 lb/MMBtu/hr on an annual average rolled monthly basis, and is based on the NOx RACT RACT variance of November 2011 and April 2018.

The facility's existing engines are subject to 40 CFR 63 Subpart ZZZZ, 40 CFR 60 Subparts JJJJ and IIII. These regulations are not yet delegated by USEPA to the New York State.

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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**DEC GENERAL CONDITIONS**

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- 4 3 Applications for permit renewals, modifications and transfers
- 5 4 Permit modifications, suspensions or revocations by the Department

**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

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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**  
**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**

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Facility: N SHORE TOWERS APT TOTAL ENERGY PLANT  
272-40 GRAND CENTRAL PKWY  
FLORAL PARK, NY 11005

Authorized Activity By Standard Industrial Classification Code:  
6512 - NONRESIDENTIAL BUILDING OPERATORS  
6513 - APARTMENT BUILDING OPERATORS

Permit Effective Date: 06/07/2019

Permit Expiration Date: 06/06/2024

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**EU=U-FAC01**

- 31 \*42 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 33 43 6 NYCRR 227-2.5 (c): Compliance Certification
- 33 44 6 NYCRR 227-2.6: Compliance Certification

**EU=U-FAC01,EP=00001**

- 35 45 6 NYCRR 227-1.3 (a): Compliance Certification
- 36 46 6 NYCRR 227-2.5 (c): Compliance Certification

**EU=U-FAC01,EP=00001,Proc=001**

- 37 47 6 NYCRR 227-1.3: Compliance Certification

**EU=U-FAC01,EP=00001,Proc=001,ES=0001A**

- 38 48 6 NYCRR 227.2 (b) (1): Compliance Certification

**EU=U-FAC01,EP=00001,Proc=001,ES=0001B**

- 39 49 6 NYCRR 227.2 (b) (1): Compliance Certification

**EU=U-FAC01,EP=00001,Proc=001,ES=0001F**

- 41 50 6 NYCRR 227.2 (b) (1): Compliance Certification

**EU=U-FAC02**

- 42 51 6 NYCRR 227-2.5 (c): Compliance Certification
- 42 52 6 NYCRR 227-2.5 (c): Compliance Certification
- 43 53 6 NYCRR 227-2.6: Compliance Certification

**EU=U-FAC02,EP=00002**

- 44 54 6 NYCRR 227-1.3 (a): Compliance Certification

**EU=U-FAC02,EP=00002,Proc=007**

- 45 55 6 NYCRR 227-1.3: Compliance Certification

**EU=U-FAC02,EP=00002,Proc=007,ES=0002A**

- 47 56 6 NYCRR 227.2 (b) (1): Compliance Certification

**EU=U-FAC02,EP=00002,Proc=007,ES=0002B**

- 48 57 6 NYCRR 227.2 (b) (1): Compliance Certification

**EU=U-FAC02,EP=00002,Proc=007,ES=0002C**

- 49 58 6 NYCRR 227.2 (b) (1): Compliance Certification

**EU=U-FAC02,EP=00002,Proc=007,ES=0002D**

- 50 59 6 NYCRR 227.2 (b) (1): Compliance Certification

**EU=U-FAC03**

- 51 60 6 NYCRR 227-2.4 (f) (1): Compliance Certification
- 52 61 6 NYCRR 231-6.2: Compliance Certification
- 53 62 6 NYCRR 231-6.2: Compliance Certification

**EU=U-FAC03,Proc=003,ES=0001G**

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54 63 40CFR 60, NSPS Subpart JJJJ: Compliance Certification

**EU=U-FAC03,Proc=003,ES=0001H**

55 64 40CFR 60, NSPS Subpart JJJJ: Compliance Certification

**EU=U-FAC03,Proc=003,ES=0001I**

56 65 40CFR 60, NSPS Subpart JJJJ: Compliance Certification

**EU=U-FAC03,EP=0001A**

58 66 6 NYCRR 227-1.3 (a): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

61 67 ECL 19-0301: Contaminant List

61 68 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities

62 69 6 NYCRR 211.1: Air pollution prohibited

NOTE: \* preceding the condition number indicates capping.

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**FEDERALLY ENFORCEABLE CONDITIONS**

\*\*\*\* 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

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reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)**

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

**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

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facility for any violation of applicable requirements prior to or at the time of permit issuance;

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

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

**Item J: Reopening for Cause - 6 NYCRR 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

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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

**Item K: Permit Exclusion - ECL 19-0305**

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

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

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

**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 06/07/2019 and 06/06/2024**

**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

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contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**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 06/07/2019 and 06/06/2024**

**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 06/07/2019 and 06/06/2024**

**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

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reports required by the permit.

**Condition 5: Compliance Certification**  
Effective between the dates of 06/07/2019 and 06/06/2024

**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,



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the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting 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

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report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2019.

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

**Condition 6: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**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;

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- 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.

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:



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**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.

**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**

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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 be specified as "not applicable".]

**Condition 10: Maintenance of Equipment**  
Effective between the dates of 06/07/2019 and 06/06/2024

**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 06/07/2019 and 06/06/2024

**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 06/07/2019 and 06/06/2024

**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 06/07/2019 and 06/06/2024

**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 06/07/2019 and 06/06/2024

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**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 available to representatives of the department upon request.

**Condition 15: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)****Item 15.1:**

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 available to representatives of the department upon request.

**Condition 16: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)****Item 16.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 16.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

AS PROOF OF EXEMPT ELIGIBILITY FOR THE EMERGENCY GENERATORS, THE FACILITY MUST MAINTAIN MONTHLY RECORDS WHICH DEMONSTRATE THAT EACH ENGINE IS OPERATED LESS THAN 500 HOURS PER YEAR, ON A 12-MONTH ROLLING TOTAL BASIS.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 500.0 hours

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 17: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

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**Item 17.1:**

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 18: Trivial Sources - Proof of Eligibility**  
Effective between the dates of 06/07/2019 and 06/06/2024

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

**Item 18.1:**

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 19: Requirement to Provide Information**  
Effective between the dates of 06/07/2019 and 06/06/2024

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

**Item 19.1:**

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 20: Right to Inspect**  
Effective between the dates of 06/07/2019 and 06/06/2024

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

**Item 20.1:**

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;



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(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.

**Condition 21: Off Permit Changes**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 21.1:**

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 22: Required Emissions Tests**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 22.1:**

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 23: Accidental release provisions.**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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



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An emergency, as defined in Subpart 201-2 of this Part, constitutes an affirmative defense to penalties sought in an enforcement action brought by the department for noncompliance with emission 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 26: Emission Unit Definition**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 26.1:**

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

Emission Unit: U-FAC01

Emission Unit Description:

This unit consists of three (3) Chicago Pneumatic internal combustion engines, emission sources 0001A,

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0001B, 0001F, (c. 1974) dual-fuel fired diesel engines which are used to generate electrical power for the complex. When firing dual-fuel it is by heat input, 6% diesel and 94% natural gas. The engines are capable of firing diesel only. The engines are equipped with catalytic oxidation controls. This emission unit has one emission point in an elevated position on the roof of building BLDG2.

Building(s): BLD2

**Item 26.2:**

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

Emission Unit: U-FAC02

Emission Unit Description:

Four Cleaver Brooks (CB 440-700) 29.29 MMBTU/HR boilers burning no. 2 oil and natural gas, venting to emission point 00002 located in BLDG2.

Building(s): BLD2

**Item 26.3:**

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

Emission Unit: U-FAC03

Emission Unit Description:

This unit consists of three (3) Caterpillar (CAT) internal combustion natural gas fired engines (001G, 001H, 001I) which replaced three (3) Chicago Pneumatic internal combustion dual-fuel fired engines (emission sources 001C, 001D, 001E) formerly under under emission unit U-FAC01. All sources are equipped with catalytic oxidation controls.

Building(s): BLD2

**Condition 27: Compliance Certification**

**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 27.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Pursuant to the facility's NOx RACT Plan dated December



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**Item 30.1:**

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 31: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024****Applicable Federal Requirement: 6 NYCRR 225-1.2****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: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014 and are limited to the firing of distillate oil including number two heating oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016.

The department will require fuel analyses, information on the quantity of fuel received, fired or sold, and results of stack sampling, stack monitoring, and other procedures to ensure compliance with the provisions of this Subpart. All records must be maintained at the facility for a minimum of five years.

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.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

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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: QUARTERLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2019.  
 Subsequent reports are due every 3 calendar month(s).

**Condition 32: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 32.1:**  
 The Compliance Certification activity will be performed for the Facility.

**Item 32.2:**  
 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 33: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR 225.7 (a)**

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**Item 33.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request.

Upon request the owner or operator of a facility which purchases and fires coal or oil shall submit reports to the commissioner containing a fuel analysis, information on the quantity of the fuel received, burned. All records shall be available for a minimum of five years.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2019.

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

**Condition 34: Compliance Certification**

**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR 225.7 (a)**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum, supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submitted to, the NYSDEC as per the stated reporting requirement.

Monitoring Frequency: PER DELIVERY



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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2019.

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

**Condition 35: Compliance Certification**

**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR Subpart 231-10**

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility replaced three (emission sources 0001C, 0001D, 0001E) of its six old Chicago Pneumatic dual fired engines with new Caterpillar internal combustion engines (emission sources (0001G, 0001H, 0001I) and created 59.5 tons of NOx ERCs and 15.50 tons of VOC ERCs of which 40.87 tons of NOx were used to keep the facility bellow the New Source Review trigger of 25 tons per year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2019.

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

**Condition 36: Applicability**

**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 36.1:**

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

**Condition 37: Applicability**

**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 37.1:**

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

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**Condition 38: Applicability**  
Effective between the dates of 06/07/2019 and 06/06/2024

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

**Item 38.1:**

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

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

**Condition 39: Emission Point Definition By Emission Unit**  
Effective between the dates of 06/07/2019 and 06/06/2024

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

**Item 39.1:**

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

Emission Unit: U-FAC01

Emission Point: 00001

Height (ft.): 352 Diameter (in.): 60  
NYTMN (km.): 4512.544 NYTME (km.): 608.495 Building: BLD2

**Item 39.2:**

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

Emission Unit: U-FAC02

Emission Point: 00002

Height (ft.): 352 Diameter (in.): 54  
NYTMN (km.): 4512.544 NYTME (km.): 608.495 Building: BLD2

**Item 39.3:**

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

Emission Unit: U-FAC03

Emission Point: 0001A

Height (ft.): 352 Diameter (in.): 60  
NYTMN (km.): 4512.544 NYTME (km.): 608.495 Building: BLD2

**Condition 40: Process Definition By Emission Unit**  
Effective between the dates of 06/07/2019 and 06/06/2024

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

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**Item 40.1:**

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

Emission Unit: U-FAC01  
Process: 001 Source Classification Code: 2-02-004-01  
Process Description: Firing No. 2 Fuel Oil

Emission Source/Control: 0001A - Combustion  
Design Capacity: 1,500 kilowatts

Emission Source/Control: 0001B - Combustion  
Design Capacity: 1,500 kilowatts

Emission Source/Control: 0001F - Combustion  
Design Capacity: 1,350 kilowatts

**Item 40.2:**

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

Emission Unit: U-FAC01  
Process: 002 Source Classification Code: 2-02-004-02  
Process Description: Firing Natural Gas 94% With 6% Pilot Oil

Emission Source/Control: 0001A - Combustion  
Design Capacity: 1,500 kilowatts

Emission Source/Control: 0001B - Combustion  
Design Capacity: 1,500 kilowatts

Emission Source/Control: 0001F - Combustion  
Design Capacity: 1,350 kilowatts

**Item 40.3:**

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

Emission Unit: U-FAC02  
Process: 007 Source Classification Code: 1-03-005-01  
Process Description: Firing No. 2 Fuel Oil.

Emission Source/Control: 0002A - Combustion  
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002B - Combustion  
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002C - Combustion  
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002D - Combustion  
Design Capacity: 29.29 million Btu per hour

**Item 40.4:**

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

Emission Unit: U-FAC02  
Process: 008 Source Classification Code: 1-03-006-02  
Process Description: Firing Natural Gas

Emission Source/Control: 0002A - Combustion  
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002B - Combustion  
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002C - Combustion  
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002D - Combustion  
Design Capacity: 29.29 million Btu per hour

**Item 40.5:**

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

Emission Unit: U-FAC03  
Process: 003 Source Classification Code: 2-02-004-01  
Process Description: Firing Natural Gas.

Emission Source/Control: 0001G - Combustion  
Design Capacity: 1,650 kilowatts

Emission Source/Control: 0001H - Combustion  
Design Capacity: 1,650 kilowatts

Emission Source/Control: 0001I - Combustion  
Design Capacity: 1,650 kilowatts

**Condition 41: Emission Unit Permissible Emissions  
Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 41.1:**

The sum of emissions from all regulated processes specified in this permit for the emission unit cited

shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-FAC01  
  
CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN  
PTE(s): 72 pounds per hour  
  
140,000 pounds per year

Emission Unit: U-FAC02



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Emission Unit: U-FAC01

Regulated Contaminant(s):

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

**Item 42.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

In order to support the April 2018 NOx RACT analysis due to economic and technological reasons, the Oxides of Nitrogen (NOx) emissions from engines 0001A, 0001B, 0001F are limited to 70 tons per year on a 12-month rolling basis.

The emissions calculations shall be performed as demonstrated in the April 2018 NOx RACT analysis submission pages 5 to 7 utilizing for each month:

1. Total engine output, kW-hr
2. Total engine operating time, hr
3. Total engine oil use, gallons
4. Total engine natural gas use, cubic feet
5. The chart Average Emission factor vs Engine Output, kW, based on the 2015 stack test results.

Calculate total NOx emissions from these engines, in tons, for each month and for 12-month average-rolled monthly.

All reports shall be submitted within thirty days after the end of each calendar semiannual period to:

RAPCE  
Division of Air Resources  
NYS Department of Environmental Conservation  
Region 2  
47-40 21st Street  
Long Island City, NY 11101

All records required by this permit, as well as fuel purchase records, must be kept at the facility for the three most recent years, and must be made available upon request to a NYSDEC authorized agent.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 70 tons

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Monitoring Frequency: MONTHLY  
 Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 43: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR 227-2.5 (c)**

**Item 43.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 43.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of the internal combustion engines 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 30 days after the reporting period.  
 The initial report is due 10/30/2019.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 44: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR 227-2.6**

**Item 44.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 44.2:**





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Effective between the dates of 06/07/2019 and 06/06/2024

**Applicable Federal Requirement:6 NYCRR 227-1.3 (a)****Item 45.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Emission Point: 00001

**Item 45.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

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Upper Permit Limit: 20 percent  
 Reference Test Method: EPA 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 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 46: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement: 6 NYCRR 227-2.5 (c)**

**Item 46.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01                      Emission Point: 00001

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 46.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The emissions from engines 0001A, 0001B, and 00001F may be averaged in order to demonstrate compliance with an alternative standard of 4.0 gram/brake horsepower-hour (g/bhp-hr) on annual average, rolled monthly basis, as demonstrated by the NOx RACT Economic and Technological Analysis of April 2018. Each engine shall operate under ignition retard.

The calculations of gram/brake horsepower-hour (g/bhp-hr) on annual average, rolled monthly basis shall be performed as demonstrated in the April 2018 NOx RACT analysis submission pages 5 to 7 utilizing for each month:

1. Total engine output, kW-hr
2. Total engine operating time, hr
3. Total engine oil use, gallons
4. Total engine natural gas use, cubic feet
5. The chart based on the 2015 stack test results, Average Emission Factor, grams/break horsepower-hr vs Engine Output, kW.

Calculate NOx emission rate from these engines, in grams per break horsepower-hr, each month for the 12-month

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average-rolled monthly. Submit report with the results and an explanation of any deviation(s) from this limit, to:

Regional Air Pollution Control Engineer  
 Division of Air Resources  
 NYS Department of Environmental Conservation  
 Region 2  
 47-40 21st Street  
 Long Island City, NY 11101

All records required by this permit, as well as fuel purchase records, must be kept at the facility for the three most recent years, and must be made available upon request to a NYSDEC authorized agent.

Parameter Monitored: OXIDES OF NITROGEN  
 Upper Permit Limit: 4.0 grams per brake horsepower-hour  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 47: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 47.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01                      Emission Point: 00001  
 Process: 001

**Item 47.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

Operators of oil-fired internal combustion engines 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:

1) Observe the stack for each internal combustion engine which is operating on oil once per day for visible emissions. This observation(s) must be conducted during

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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 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.

Reference Test Method: EPA Method 9

Monitoring Frequency: DAILY

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 10/30/2019.

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

**Condition 48: Compliance Certification**

**Effective between the dates of 06/07/2019 and 06/06/2024**

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

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**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01                      Emission Point: 00001  
 Process: 001                                      Emission Source: 0001A

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

**Item 48.2:**

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.

Upon request the facility 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: ONCE DURING THE TERM OF THE PERMIT  
 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 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 49: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**





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

**Condition 51: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR 227-2.5 (c)**

**Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of the boilers 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 30 days after the reporting period.  
 The initial report is due 10/30/2019.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 52: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR 227-2.5 (c)**

**Item 52.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 52.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

On or after July 1, 2014, the emissions from boilers



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under this emission unit may be averaged in order to demonstrate compliance with an alternative standard of 0.107 lbMMBtu on a 12 month average - rolled monthly basis, as demonstrated by the NOx RACT Economic and Technological Analysis of April 2018.

Monthly fuel usage records and NOx emissions calculated, shall be maintained by the facility as shown on Table 2-1 of the April 2018 NOx RACT Economic and Technological Analysis.

Parameter Monitored: OXIDES OF NITROGEN  
 Upper Permit Limit: 0.107 pounds per million Btus  
 Monitoring Frequency: MONTHLY  
 Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 53: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement: 6 NYCRR 227-2.6**

**Item 53.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 53.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
 Monitoring Description:

The alternate NOx emission limit of 0.107 lb/MMBtu on an annual average rolled monthly basis for the boilers under this emission unit must be verified by conducting an emissions test for low and high modes.

The emissions testing must be performed once during the term of the permit by:

(1) submitting a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be specified and be acceptable to the department;





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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:

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

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stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Reference Test Method: EPA Method  
 Monitoring Frequency: DAILY  
 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 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 56: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 56.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02	Emission Point: 00002
Process: 007	Emission Source: 0002A

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

**Item 56.2:**

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.

Upon request the facility 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.

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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: ONCE DURING THE TERM OF THE PERMIT  
 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 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 57: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 57.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02	Emission Point: 00002
Process: 007	Emission Source: 0002B

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

**Item 57.2:**  
 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.

Upon request the facility 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

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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: ONCE DURING THE TERM OF THE PERMIT  
 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 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 58: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02	Emission Point: 00002
Process: 007	Emission Source: 0002C

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

**Item 58.2:**

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.

Upon request the facility 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.

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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: ONCE DURING THE TERM OF THE PERMIT

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 10/30/2019.

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

**Condition 59: Compliance Certification**

**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 59.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Emission Point: 00002

Process: 007

Emission Source: 0002D

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 59.2:**

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.

Upon request the facility 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



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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: ONCE DURING THE TERM OF THE PERMIT  
 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 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 60: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement: 6 NYCRR 227-2.4 (f) (1)**

**Item 60.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 60.2:**  
 Compliance Certification shall include the following monitoring:

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

Monitoring Description:  
 The oxides of nitrogen emission limit for the three new engines under this emission unit, installed after July 1, 2010, is 1.0 grams per brake horsepower-hour as required by 40CFR60 Subpart JJJJ. Hence, these engines would be in compliance with the presumptive NOx limit under Subpart 227-2 of 1.5 grams per brake horsepower-hour.

Parameter Monitored: OXIDES OF NITROGEN  
 Upper Permit Limit: 1.5 grams per brake horsepower-hour  
 Reference Test Method: METHOD 7, 7E, or 19 from 40 CFR part 60, Appendix  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION



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Upper Permit Limit: 24.9 tons per year  
 Reference Test Method: METHOD 25A/18 from 40 CFR part 60, Appendix  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
 DESCRIPTION  
 Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 10/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 62: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable Federal Requirement:6 NYCRR 231-6.2**

**Item 62.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 62.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The netting yields an annual NOx limit of 65.76 tons per year on a rolling monthly basis. Stack testing for the three new engines shall be conducted once every 5 years to confirm this limit.

The emissions testing must be performed once during the term of the permit by:

- (1) submitting a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be specified and be acceptable to the department;
- (2) utilizing the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and follow the procedures set forth in Part 202 of this Title and utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department; and





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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Oxides of Nitrogen for this engine, installed after July 1, 2010, is limited as stated below.

Sixty (60) days prior to testing, the owner/operator shall submit to the Department stack test protocol for review and approval.

Fifteen days (15) prior to testing, the owner/operator shall notify in writing the day(s) and time(s) of the testing.

Within forty five (45) days after the testing, the owner/operator shall submit to the Department stack test report for review and approval.

The above documents shall be sent to:

Regional Air Pollution Control Engineer  
 NYSDEC, Region 2  
 Division of Air resources  
 47-40 21st Street  
 Long island City, NY 11101

Monitoring frequency: Stack testing shall be conducted once every three years or every 8760 hours of operation, whichever occurs first.

In addition to the NOx stack testing, 40 CFR 60 Subpart JJJJ requires testing for CO and VOCs.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: METHOD 7, 7E, or 19 from 40 CFR part 60, Appendix

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2019.

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

**Condition 65: Compliance Certification**

**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 65.1:**

The Compliance Certification activity will be performed for:

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Emission Unit: U-FAC03

Process: 003

Emission Source: 0001I

Regulated Contaminant(s):

CAS No: 000630-08-0	CARBON MONOXIDE
CAS No: 0NY998-00-0	VOC
CAS No: 0NY210-00-0	OXIDES OF NITROGEN

**Item 65.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Oxides of Nitrogen for this engine, installed after July 1, 2010, is limited as stated below.

Sixty (60) days prior to testing, the owner/operator shall submit to the Department stack test protocol for review and approval.

Fifteen days (15) prior to testing, the owner/operator shall notify in writing the day(s) and time(s) of the testing.

Within forty five (45) days after the testing, the owner/operator shall submit to the Department stack test report for review and approval.

The above documents shall be sent to:

Regional Air Pollution Control Engineer  
 NYSDEC, Region 2  
 Division of Air resources  
 47-40 21st Street  
 Long island City, NY 11101

Monitoring frequency: Stack testing shall be conducted once every three years or every 8760 hours of operation, whichever occurs first.

In addition to the NOx stack testing, 40 CFR 60 Subpart JJJ requires testing for CO and VOCs.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: METHOD 7, 7E, or 19 from 40 CFR part 60, Appendix

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

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Reports due 30 days after the reporting period.  
The initial report is due 10/30/2019.  
Subsequent reports are due every 6 calendar month(s).

**Condition 66: Compliance Certification**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

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

**Item 66.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

Emission Point: 0001A

**Item 66.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating



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the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA 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 10/30/2019.

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

**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

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

**Condition 67: Contaminant List****Effective between the dates of 06/07/2019 and 06/06/2024****Applicable State Requirement: ECL 19-0301****Item 67.1:**

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

CAS No: 000630-08-0  
Name: CARBON MONOXIDE

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

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

CAS No: 0NY998-00-0  
Name: VOC

**Condition 68: Malfunctions and start-up/shutdown activities****Effective between the dates of 06/07/2019 and 06/06/2024****Applicable State Requirement: 6 NYCRR 201-1.4****Item 68.1:**

(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 malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in 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 69: Air pollution prohibited**  
**Effective between the dates of 06/07/2019 and 06/06/2024**

**Applicable State Requirement: 6 NYCRR 211.1**

**Item 69.1:**

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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