



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 8-2699-00059/00027  
Effective Date: 10/28/2015 Expiration Date: 10/27/2025

Permit Issued To: UNIVERSITY OF ROCHESTER  
WILSON BOULEVARD  
WALLIS HALL  
ROCHESTER, NY 14627

Facility: UNIVERSITY OF ROCHESTER  
390 ELMWOOD AVE  
ROCHESTER, NY 14323-1299

Contact: STEPHEN G MISCHISSIN  
UNIVERSITY OF ROCHESTER  
390 ELMWOOD AVE BOX 278916  
ROCHESTER, NY 14627-8916  
(585) 273-4704

Description:  
Renewal and modification of the University of Rochester Air State Facility  
Permit originally issued January 1, 2005 for operations at the University Campus,  
Hospital Medical Center, and the associated Power Plant.

No changes have been made to emission caps in the initial Air State Facility Permit to limit fuel use to restrict facility potentials to emit oxides of nitrogen (NO<sub>x</sub>) and sulfur dioxide (SO<sub>2</sub>) to 98 tons per year each. These restricted facility emissions to below 100 ton per year thresholds in 6 NYCRR Part 201-6 (Title V), Part 231-2 New Source Review in Nonattainment Areas and Ozone Transport Regions, and 40 CFR 52.21 Prevention of Significant Deterioration (PSD).

Permit modifications effective March 8, 2006 and July 23, 2007 corrected monitoring requirements for opacity monitoring when burning #2 fuel oil, and required vapor control for previously exempt gasoline storage. Neither modification changed the previously established emission limits for NO<sub>x</sub> or SO<sub>2</sub>.

Changes authorized in this Permit from the previous Permit include:

- Operation of the four dual fuel boilers as natural gas fired boilers as defined in 40 CFR Part 63 Subpart JJJJJJ, firing #2 fuel oil only as a backup during gas supply interruption and for limited periodic testing. This exempts the boilers



from the requirements of 40 CFR Part 63 Subpart JJJJJ - NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources.

- The replacement of a #2 fuel oil fired boiler with a natural gas fired boiler; and
- The addition of generator engines for emergency power generation.

Facility Emission Units include:

EU 0-00002, a multiple chamber incinerator for cremation of animal remains and bedding;

EU 0-00008, a multiple chamber retort incinerator for cremation of human remains;

EU T-ANK05, an underground gasoline storage tank with Stage 1 vapor collection system; and

EU B-OILRS, five natural gas fired boilers, including one cogeneration unit providing power as well as steam.

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: SCOTT SHEELEY  
NYSDEC - REGION 8  
6274 E AVON-LIMA RD  
AVON, NY 14414

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



**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.



## **LIST OF CONDITIONS**

### **DEC GENERAL CONDITIONS**

#### **General Provisions**

Facility Inspection by the Department  
Relationship of this Permit to Other Department Orders and  
Determinations  
Applications for permit renewals, modifications and transfers  
Permit modifications, suspensions or revocations by the Department

#### **Facility Level**

Submission of application for permit modification or  
renewal-REGION 8 HEADQUARTERS



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

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

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



**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**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 8 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 8 Headquarters  
Division of Environmental Permits  
6274 Avon-Lima Road  
Avon, NY 14414-9519  
(585) 226-2466

**New York State Department of Environmental Conservation**

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

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY**

**PERMIT**

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ROCHESTER, NY 14627

Facility: UNIVERSITY OF ROCHESTER  
390 ELMWOOD AVE  
ROCHESTER, NY 14323-1299

Authorized Activity By Standard Industrial Classification Code:  
8221 - COLLEGES AND UNIVERSITIES, NEC

Permit Effective Date: 10/28/2015

Permit Expiration Date: 10/27/2025



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 215.2: Open Fires - Prohibitions
- 3 6 NYCRR 200.7: Maintenance of Equipment
- 4 6 NYCRR 201-1.7: Recycling and Salvage
- 5 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 6 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 7 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 8 40 CFR Part 68: Accidental release provisions.
- 9 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 10 6 NYCRR 201-7.1: Facility Permissible Emissions
- \*11 6 NYCRR 201-7.1: Capping Monitoring Condition
- 12 6 NYCRR 202-1.1: Required Emissions Tests - Facility Level
- 13 6 NYCRR 211.1: Air pollution prohibited
- 14 6 NYCRR 225-1.2 (f): Compliance Demonstration
- 15 6 NYCRR 225-1.2 (h): Compliance Demonstration
- 16 6 NYCRR 227-1.3: Compliance Demonstration
- 17 40CFR 63.11195, NESHAP Subpart JJJJJ: Boilers not subject
- 18 40CFR 82, Subpart B: Servicing of Motor Vehicle Air Conditioners (MVAC)

**Emission Unit Level**

**EU=0-00008**

- 19 6 NYCRR 219-5.2 (a): Particulate matter limitation.
- 20 6 NYCRR 219-5.5: Abatement

**EU=0-00008,EP=00008,Proc=008**

- 21 6 NYCRR 219-5.3 (a): Compliance Demonstration

**EU=B-OILRS**

- 22 6 NYCRR 231-2.6: Compliance Demonstration
- 23 40CFR 60.46b, NSPS Subpart Db: Compliance methods for oxides of nitrogen.
- 24 40CFR 60.49b, NSPS Subpart Db: Recordkeeping and reporting requirements.

**EU=B-OILRS,Proc=902**

- 25 40CFR 60.43b(b), NSPS Subpart Db: Compliance Demonstration
- 26 40CFR 60.48b(a), NSPS Subpart Db: Compliance Demonstration

**EU=B-OILRS,Proc=902,ES=OBLR9**

- 27 40CFR 60.42b(j), NSPS Subpart Db: Demonstration criteria for low sulfur oil.

**EU=B-OILRS,EP=00009**

- 28 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 29 40CFR 60.43b(f), NSPS Subpart Db: Compliance Demonstration



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30 40CFR 60.43b(g), NSPS Subpart Db: Particulate matter and opacity exemption.

**EU=T-ANK05**

31 6 NYCRR 230.2 (a) (1): No gasoline transfer allowed at sites without Stage I controls installed, if required at that site.

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

32 ECL 19-0301: Contaminant List

33 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities

34 6 NYCRR Subpart 201-5: Emission Unit Definition

35 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits

36 6 NYCRR 201-5.3 (c): Compliance Demonstration

37 6 NYCRR 211.2: Visible Emissions Limited

**Emission Unit Level**

38 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit

39 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

**EU=0-00002**

40 6 NYCRR 219-4.4: This section describes design requirements for crematories and pathological incinerators.

41 6 NYCRR 219-4.5 (a): Compliance Demonstration

42 6 NYCRR 219-4.6: This section describes other wastes that can and can not be burned in a crematory.

43 6 NYCRR 219-4.10: Operator training and certification requirements.

44 6 NYCRR 219-4.11: Inspection and Reporting requirements.

**EU=0-00002,Proc=002,ES=00VI1**

45 6 NYCRR 219-4.3: Compliance Demonstration

**EU=0-00002,EP=00002,Proc=002**

46 6 NYCRR 219-4.7: Compliance Demonstration

47 6 NYCRR 219-4.7: Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

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

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

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

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



required to operate such device effectively.

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

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

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

An emergency constitutes an affirmative defense to an action brought 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 and/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;

(3) During the period of the emergency the facility owner and/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 and/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 and/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 F: Recycling and Salvage - 6 NYCRR 201-1.7**

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

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

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

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

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

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

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

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

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

**Item K: Open Fires Prohibitions - 6 NYCRR 215.2**

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item L: 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 M: 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.

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

**Condition 1: Acceptable Ambient Air Quality**



**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**

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

**Condition 2: Open Fires - Prohibitions**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 2.1:**

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 2.2**

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

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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.

**Condition 3: Maintenance of Equipment**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 3.1:**

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 4: Recycling and Salvage**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 4.1:**

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 5: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 5.1:**

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 6: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 6.1:**

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

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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 7: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 7.1:**

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 8: Accidental release provisions.**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 8.1:**

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

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

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

**Condition 9: Recycling and Emissions Reduction**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 9.1:**

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

**Condition 10: Facility Permissible Emissions**  
**Effective between the dates of 10/28/2015 and 10/27/2025**



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

**Item 10.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

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

PTE: 196,000 pounds per year

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

PTE: 196,000 pounds per year

**Condition 11: Capping Monitoring Condition  
Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 11.1:**

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

6 NYCRR 201-6.1  
6 NYCRR Subpart 227-2  
40 CFR 52.21

**Item 11.2:**

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

**Item 11.3:**

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

**Item 11.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 11.5:**

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

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the Act.

**Item 11.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY210-00-0	OXIDES OF NITROGEN

**Item 11.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility emissions of oxides of nitrogen and sulfur dioxide will each be limited to 98 tons per year on a twelve month rolling basis. These limits will effectively cap all pollutants except greenhouse gasses under the "tailoring rule" (40CFR52) below any major source thresholds. Compliance will be demonstrated through the tracking of monthly fuel use and calculating emissions using emission factors based on stack testing or otherwise approved by the Department.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 12: Required Emissions Tests - Facility Level**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 12.1:**

An acceptable report of measured emissions shall be submitted, as required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

**Condition 13: Air pollution prohibited**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 13.1:**

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

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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.

**Condition 14: Compliance Demonstration**

**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 14.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of commercial, industrial, or residential emission sources that fire number two heating oil on or after July 1, 2012 are limited to the purchase of number two heating oil with 0.0015 percent sulfur by weight or less. Compliance with this limit will be based on vendor certifications.

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 HEATING OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 15: Compliance Demonstration**

**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 15.1:**

The Compliance Demonstration activity will be performed for the Facility.

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**Item 15.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 16: Compliance Demonstration**

**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 16.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 16.2:**

Compliance Demonstration 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

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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?

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

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence.

The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

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

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 17: Boilers not subject**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement: 40CFR 63.11195, NESHAP Subpart**



JJJJJ

**Item 17.1:**

The types of boilers listed in paragraphs (a) through (k) are not subject to 40 CFR 63 Subpart JJJJJ and to any requirements in that subpart.

(a) Any boiler specifically listed as, or included in the definition of, an affected source in another standard(s) under Part 63.

(b) Any boiler specifically listed as an affected source in another standard(s) established under section 129 of the Clean Air Act.

(c) A boiler required to have a permit under section 3005 of the Solid Waste Disposal Act or covered by subpart EEE of this part (e.g., hazardous waste boilers), unless such units do not combust hazardous waste and combust comparable fuels.

(d) A boiler that is used specifically for research and development. This exemption does not include boilers that solely or primarily provide steam (or heat) to a process or for heating at a research and development facility. This exemption does not prohibit the use of the steam (or heat) generated from the boiler during research and development, however, the boiler must be concurrently and primarily engaged in research and development for the exemption to apply.

(e) A gas-fired boiler as defined in 40 CFR 63 Subpart JJJJJ.

(f) A hot water heater as defined in 40 CFR 63 Subpart JJJJJ.

(g) Any boiler that is used as a control device to comply with another Subpart of Part 63, or Part 60, Part 61, or Part 65 of this chapter provided that at least 50 percent of the average annual heat input during any 3 consecutive calendar years to the boiler is provided by regulated gas streams that are subject to another standard.

(h) Temporary boilers as defined in 40 CFR 63 Subpart JJJJJ.

(i) Residential boilers as defined in 40 CFR 63 Subpart JJJJJ.

(j) Electric boilers as defined in 40 CFR 63 Subpart JJJJJ.

(k) An electric utility steam generating unit (EGU) covered by 40 CFR 63 Subpart UUUUU.

**Condition 18:     Servicing of Motor Vehicle Air Conditioners (MVAC)**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 18.1:**

If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.



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operated so as to cause a violation of 6NYCRR Subpart 219-5.

**Condition 21: Compliance Demonstration**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement: 6 NYCRR 219-5.3 (a)**

**Item 21.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00008                      Emission Point: 00008  
Process: 008

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

**Item 21.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Opacity emissions will be monitored by occasional, random observation of visible emissions from the stack or as otherwise required by the Department. All observations will be recorded and available for review by the Department for a minimum of five years.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 22: Compliance Demonstration**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement: 6 NYCRR 231-2.6**

**Item 22.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: B-OILRS

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

**Item 22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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**Monitoring Description:**

Oxides of nitrogen (NO<sub>x</sub>) emissions from emission sources 0BLR6 and 0BLR7 shall be monitored by recording the amount of natural gas and number 2 fuel oil burned on a monthly basis and application of the following equation: total pounds of NO<sub>x</sub> emissions = (MMBTU of natural gas used in 0BLR6 X 0.078 pounds of NO<sub>x</sub> per MMBTU) + (MMBTU of natural gas used in 0BLR7 X 0.051 pounds of NO<sub>x</sub> per MMBTU) + (MMBTU of #2 oil used in 0BLR6 X 0.109 pounds of NO<sub>x</sub> per MMBTU) + (MMBTU of #2 oil used in 0BLR7 X 0.098 pounds of NO<sub>x</sub> per MMBTU).

**Monitoring Frequency:** AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

**Averaging Method:** CALENDAR MONTH TOTAL

**Reporting Requirements:** ANNUALLY (CALENDAR)

**Reports due** 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 23: Compliance methods for oxides of nitrogen.**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement:**40CFR 60.46b, NSPS Subpart Db

**Item 23.1:**

This Condition applies to Emission Unit: B-OILRS

**Item 23.2:**

Oxides of nitrogen emission standards in section 40 CFR 60-Db.44b shall apply at all times.

**Condition 24: Recordkeeping and reporting requirements.**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement:**40CFR 60.49b, NSPS Subpart Db

**Item 24.1:**

This Condition applies to Emission Unit: B-OILRS

**Item 24.2:**

This facility is subject to the provisions of Subpart Db. Therefore, the facility must meet the record keeping and reporting requirements of section 40 CFR 60.49b.

**Condition 25: Compliance Demonstration**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement:**40CFR 60.43b(b), NSPS Subpart Db

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**Item 25.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: B-OILRS  
Process: 902

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

**Item 25.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of particulate matter from the combustion of oil or mixtures of oil with other fuels shall not exceed 0.10 pounds per million Btu heat input. Compliance with this standard shall be determined using the methods specified in section 40CFR60-Db.46b

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: 40 CFR 60 App A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 26: Compliance Demonstration**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement: 40CFR 60.48b(a), NSPS Subpart Db**

**Item 26.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: B-OILRS  
Process: 902

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

**Item 26.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator shall install, calibrate, maintain and operate a continuous monitoring system for measuring the opacity of emissions discharged to the atmosphere while distillate oil is being burned and record the output

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of the system.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2016.  
Subsequent reports are due every 6 calendar month(s).

**Condition 27: Demonstration criteria for low sulfur oil.**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement: 40CFR 60.42b(j), NSPS Subpart Db**

**Item 27.1:**

This Condition applies to Emission Unit: B-OILRS  
Process: 902 Emission Source:  
OBLR9

**Item 27.2:**

Affected facilities which fire very low sulfur oil shall demonstrate that the oil meets the definition of very low sulfur oil by:

1) Following the performance testing procedures in subdivision 60.45b(c) or subdivision 60.45b(d) and following monitoring procedures in subdivision 60.47b(a) or in subdivision 60.47b(b) to determine SO<sub>2</sub> emission rate or fuel oil sulfur content; or

2) Maintaining fuel receipts as described in subdivision 60.49b(r).

**Condition 28: Performance test methods.**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 28.1:**

This Condition applies to Emission Unit: B-OILRS Emission Point: 00009

**Item 28.2:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

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**Condition 29: Compliance Demonstration**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement: 40CFR 60.43b(f), NSPS Subpart Db**

**Item 29.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: B-OILRS

Emission Point: 00009

Regulated Contaminant(s):

CAS No: 00NY075-00-0 PARTICULATES

**Item 29.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator shall not cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (6 minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 30: Particulate matter and opacity exemption.**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable Federal Requirement: 40CFR 60.43b(g), NSPS Subpart Db**

**Item 30.1:**

This Condition applies to Emission Unit: B-OILRS Emission Point: 00009

**Item 30.2:**

The particulate matter and opacity standards shall apply at all times, except during periods of startup, shutdown, or malfunction.

**Condition 31: No gasoline transfer allowed at sites without Stage I controls installed, if required at that site.**

**Effective between the dates of 10/28/2015 and 10/27/2025**

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**Applicable Federal Requirement: 6 NYCRR 230.2 (a) (1)**

**Item 31.1:**

This Condition applies to Emission Unit: T-ANK05

**Item 31.2:**

No person may transfer or allow the transfer of gasoline into storage tanks at gasoline dispensing sites whose annual throughput exceeds 120,000 gallons, unless the site has been properly registered pursuant to section 230.7 of 6 NYCRR Part 230 and the gasoline storage tank is equipped with:

- i. a stage I vapor collection system consisting of a vapor-tight return line from the storage tank, or its vent, to the gasoline transport vehicle;
- ii. a properly installed on-site vapor control system connected to a vapor collection system;  
or
- iii. an equivalent control system.



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

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 32: Contaminant List**

**Effective between the dates of 10/28/2015 and 10/27/2025**



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

**Item 32.1:**

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

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 33: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 33.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in 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.

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(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 34: Emission Unit Definition**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 34.1:**

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

Emission Unit: 0-00002

Emission Unit Description:

This emission unit consists of a multiple chamber incinerator used for the cremation of animal remains and bedding.

Building(s): S-WING

**Item 34.2:**

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

Emission Unit: 0-00008

Emission Unit Description:

This emission unit consists of a multiple chamber, retort incinerator used for the cremation of human remains.

Building(s): S-WING

**Item 34.3:**

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

Emission Unit: B-OILRS

Emission Unit Description:

This emission unit consists of all boilers at the University of Rochester central utilities plant. Boiler #5, boiler #6, boiler #7, and boiler #9 have dual capability that can fire either natural gas or #2 oil. Effective January 30, 2013 all boilers will operate as gas-fired boilers as defined in 40CFR63 Subpart JJJJJ. A temporary boiler #10 was added in April, 2012 under operational flexibility provisions.

Building(s): CU

**Item 34.4:**

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

Emission Unit: E-XRICE

Emission Unit Description:

This emission unit consists of all emergency stationary reciprocating internal combustion engines (RICE).



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**Item 34.5:**

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

Emission Unit: T-ANK05

Emission Unit Description:

Xerxes 4000 gallon unleaded gasoline UST at the  
University of Rochester Wilson Boulevard maintenance  
garage.

Building(s): M-GARG

**Condition 35:      Renewal deadlines for state facility permits**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 35.1:**

The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Condition 36:      Compliance Demonstration**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 36.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 36.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 8  
6274 East Avon-Lima Rd.  
Avon, NY 14414

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 37:      Visible Emissions Limited**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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**Applicable State Requirement:6 NYCRR 211.2**

**Item 37.1:**

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.

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

**Condition 38: Emission Point Definition By Emission Unit**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 38.1:**

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

Emission Unit: 0-00002

Emission Point: 00002

Height (ft.): 114

Diameter (in.): 18

NYTMN (km.): 4777.821

NYTME (km.): 286.229

Building: S-WING

**Item 38.2:**

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

Emission Unit: 0-00008

Emission Point: 00008

Height (ft.): 104

Diameter (in.): 20

NYTMN (km.): 4777.721

NYTME (km.): 286.229

Building: S-WING

**Item 38.3:**

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

Emission Unit: B-OILRS

Emission Point: 00005

Height (ft.): 98

Diameter (in.): 60

NYTMN (km.): 4778.221

NYTME (km.): 286.129

Building: CU

Emission Point: 00006

Height (ft.): 98

Diameter (in.): 60

NYTMN (km.): 4778.221

NYTME (km.): 286.129

Building: CU

Emission Point: 00007

Height (ft.): 98

Diameter (in.): 60

NYTMN (km.): 4778.221

NYTME (km.): 286.129

Building: CU

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Emission Point: 00009  
Height (ft.): 98 Diameter (in.): 72  
NYTMN (km.): 4778.221 NYTME (km.): 286.129 Building: CU

Emission Point: 00010  
Height (ft.): 14 Diameter (in.): 48  
NYTMN (km.): 4778.221 NYTME (km.): 286.129 Building: CU

**Item 38.4:**

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

Emission Unit: T-ANK05

Emission Point: 00011  
Height (ft.): 27 Diameter (in.): 2  
NYTMN (km.): 4777.821 NYTME (km.): 286.229 Building: M-GARG

**Condition 39: Process Definition By Emission Unit**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

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

**Item 39.1:**

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

Emission Unit: 0-00002  
Process: 002 Source Classification Code: 5-01-005-05  
Process Description:  
The vivarian is a multiple chamber incinerator for pathological waste. The unit is equipped with two burners fired by natural gas.

Emission Source/Control: 00VII - Incinerator  
Design Capacity: 290 pounds per hour  
Waste Feed Method: MANUAL DIRECT FEED  
Waste Type: CREMATORY WASTE (INCLUDING HUMAN AND/OR ANIMAL BODY PARTS AND ASSOCIATED ANIMAL BEDDING) ONLY

**Item 39.2:**

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

Emission Unit: 0-00008  
Process: 008 Source Classification Code: 5-01-005-05  
Process Description:  
The crematorium is a multiple chamber, retort incinerator for the cremation of pathological waste. The unit is equipped with two burners fired by natural gas.

Emission Source/Control: 00CII - Incinerator  
Design Capacity: 300 pounds per hour

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Waste Feed Method: MANUAL DIRECT FEED  
Waste Type: CREMATORY WASTE (INCLUDING HUMAN  
AND/OR ANIMAL BODY PARTS AND  
ASSOCIATED ANIMAL BEDDING) ONLY

**Item 39.3:**

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

Emission Unit: B-OILRS  
Process: 301 Source Classification Code: 1-03-006-01  
Process Description: Temporary Boiler #10 firing natural gas

Emission Source/Control: BTEMP - Combustion  
Design Capacity: 101 million Btu per hour

Emission Source/Control: 00LNB - Control  
Control Type: LOW NOx BURNER

**Item 39.4:**

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

Emission Unit: B-OILRS  
Process: 501 Source Classification Code: 1-03-006-01  
Process Description: Boiler #5 burning natural gas.

Emission Source/Control: OBLR5 - Combustion  
Design Capacity: 122.2 million Btu per hour

**Item 39.5:**

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

Emission Unit: B-OILRS  
Process: 502 Source Classification Code: 1-03-005-01  
Process Description: Boiler #5 burning #2 oil.

Emission Source/Control: OBLR5 - Combustion  
Design Capacity: 122.2 million Btu per hour

**Item 39.6:**

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

Emission Unit: B-OILRS  
Process: 601 Source Classification Code: 1-03-006-01  
Process Description: Boiler #6 burning natural gas.

Emission Source/Control: OBLR6 - Combustion  
Design Capacity: 192 million Btu per hour

Emission Source/Control: 00LNB - Control  
Control Type: LOW NOx BURNER

**Item 39.7:**

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

Emission Unit: B-OILRS  
Process: 602 Source Classification Code: 1-03-005-01  
Process Description: Boiler #6 burning #2 oil.

Emission Source/Control: OBLR6 - Combustion  
Design Capacity: 192 million Btu per hour

Emission Source/Control: 00LNB - Control  
Control Type: LOW NOx BURNER

**Item 39.8:**

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

Emission Unit: B-OILRS  
Process: 701 Source Classification Code: 1-03-006-01  
Process Description: Boiler #7 burning natural gas.

Emission Source/Control: OBLR7 - Combustion  
Design Capacity: 192 million Btu per hour

Emission Source/Control: 00LNB - Control  
Control Type: LOW NOx BURNER

**Item 39.9:**

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

Emission Unit: B-OILRS  
Process: 702 Source Classification Code: 1-03-005-01  
Process Description: Boiler #7 burning #2 oil.

Emission Source/Control: OBLR7 - Combustion  
Design Capacity: 192 million Btu per hour

Emission Source/Control: 00LNB - Control  
Control Type: LOW NOx BURNER

**Item 39.10:**

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

Emission Unit: B-OILRS  
Process: 901 Source Classification Code: 1-03-006-01  
Process Description: Boiler #9 burning natural gas.

Emission Source/Control: OBLR9 - Combustion  
Design Capacity: 245.5 million Btu per hour

Emission Source/Control: 00FGR - Control  
Control Type: FLUE GAS RECIRCULATION

Emission Source/Control: 00LNB - Control

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Control Type: LOW NOx BURNER

**Item 39.11:**

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

Emission Unit: B-OILRS

Process: 902

Source Classification Code: 1-03-005-01

Process Description: Boiler #9 burning #2 oil

Emission Source/Control: OBLR9 - Combustion

Design Capacity: 245.5 million Btu per hour

Emission Source/Control: 00FGR - Control

Control Type: FLUE GAS RECIRCULATION

Emission Source/Control: 00LNB - Control

Control Type: LOW NOx BURNER

**Item 39.12:**

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

Emission Unit: E-XRICE

Process: ERC

Source Classification Code: 2-01-001-02

Process Description:

Existing stationary internal combustion engines (RICE),  
constructed or reconstructed prior to 6/12/2006

Emission Source/Control: ECIR1 - Combustion

Emission Source/Control: ESIR1 - Combustion

**Item 39.13:**

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

Emission Unit: E-XRICE

Process: NRC

Source Classification Code: 2-01-001-02

Process Description:

New stationary internal combustion engines (RICE),  
constructed or reconstructed after 6/12/2006

Emission Source/Control: NCIR1 - Combustion

Emission Source/Control: NSIR1 - Combustion

**Item 39.14:**

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

Emission Unit: T-ANK05

Process: 005

Source Classification Code: 4-06-003-07

Process Description:

Unloading and dispensing of unleaded gasoline for  
University of Rochester campus vehicles.

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Emission Source/Control: VPR01 - Control  
Control Type: VAPOR COLLECTION (STAGE 1)

Emission Source/Control: TANK5 - Process  
Design Capacity: 4,000 gallons

**Condition 40: This section describes design requirements for crematories and pathological incinerators.**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable State Requirement: 6 NYCRR 219-4.4**

**Item 40.1:**

This Condition applies to Emission Unit: 0-00002

**Item 40.2:**

(a) Furnace design must provide for a residence time for combustion gas of at least one second at no less than 1800F. For a multichamber incinerator, these parameters must be met after the primary combustion chamber and the primary combustion chamber temperature must be maintained at no less than 1400F.

(b) Auxiliary burners must be designed to provide combustion chamber temperatures as described in subdivision (a) of this section by means of automatic modulating controls.

(c) Mechanically fed crematories must incorporate an air lock system to prevent opening the crematory to the room environment. The volume of the loading system must be designed so as to prevent overcharging to assure complete combustion of the charge.

**Condition 41: Compliance Demonstration**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable State Requirement: 6 NYCRR 219-4.5 (a)**

**Item 41.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00002

**Item 41.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person may cause or allow emissions to the outdoor atmosphere having a six minute average opacity of ten percent or greater from any crematory.

Parameter Monitored: OPACITY

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Upper Permit Limit: 10 percent  
Reference Test Method: EPA Method 9  
Monitoring Frequency: DAILY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 42: This section describes other wastes that can and can not be burned in a crematory.**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable State Requirement:6 NYCRR 219-4.6**

**Item 42.1:**

This Condition applies to Emission Unit: 0-00002

**Item 42.2:**

- (a) Municipal solid waste may not be burned in a crematory.
- (b) Infectious waste (other than pathological waste and animal bedding) in excess of five percent of the total permitted hourly charging rate may not be burned in a crematory.
- (c) Radioactive waste may not be burned in a crematory unless that crematory is exempt from or has been issued a permit pursuant to Part 380 of this Title.
- (d) Hazardous waste may not be burned in a crematory unless that crematory is exempt from or has been issued a permit pursuant to Part 373 of this Title.

**Condition 43: Operator training and certification requirements.**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable State Requirement:6 NYCRR 219-4.10**

**Item 43.1:**

This Condition applies to Emission Unit: 0-00002

**Item 43.2:**

- (a) This facility may not operate except under the onsite direction of a person possessing an appropriate incinerator operator certification issued by the commissioner.
- (b) Persons operating this facility must be certified in writing by the holder of an incinerator operator certification, relative to:
  - (1) proper operation and maintenance of equipment at that facility; and
  - (2) knowledge of environmental permit conditions and the impact of plant operation on emissions for that facility.



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**Condition 44: Inspection and Reporting requirements.**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable State Requirement:6 NYCRR 219-4.11**

**Item 44.1:**

This Condition applies to Emission Unit: 0-00002

**Item 44.2:**

Each owner or operator of a permitted crematory facility must annually inspect that facility and submit a report to the commissioner, certifying that the condition and operation of that facility, including the calibration of all instrumentation, meet manufacturer's specifications.

**Condition 45: Compliance Demonstration**  
**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable State Requirement:6 NYCRR 219-4.3**

**Item 45.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00002

Process: 002

Emission Source: 00VI1

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 45.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emissions limit for new and modified crematories and for incineration of associated bedding. The permittee must initially demonstrate compliance with the standards in this Subpart by either (1) onsite testing, or (2) submittal of a test report for an identical incinerator tested in New York and approved by the commissioner.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.08 grains per dry standard cubic foot (corrected to 7% O<sub>2</sub>)

Reference Test Method: EPA Ref Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 46: Compliance Demonstration**

**New York State Department of Environmental Conservation**

Permit ID: 8-2699-00059/00027

Facility DEC ID: 8269900059



**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable State Requirement:6 NYCRR 219-4.7**

**Item 46.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00002  
Process: 002

Emission Point: 00002

**Item 46.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The primary combustion chamber exit temperature must be continuously monitored and recorded.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1400 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 47: Compliance Demonstration**

**Effective between the dates of 10/28/2015 and 10/27/2025**

**Applicable State Requirement:6 NYCRR 219-4.7**

**Item 47.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00002  
Process: 002

Emission Point: 00002

**Item 47.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The secondary combustion chamber exit temperature must be continuously monitored and recorded.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1800 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

