

Facility DEC ID: 9140200089

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

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
 Permit ID: 9-1402-00089/00014
 Effective Date: 01/28/2020 Expiration Date: 01/27/2030

Permit Issued To: BUFFALO GENERAL HOSPITAL
 100 HIGH ST
 BUFFALO, NY 14203-1126

Contact: PETER MURPHY
 BUFFALO GENERAL HOSPITAL
 100 HIGH ST
 BUFFALO, NY 14203
 (716) 859-2818

Facility: BUFFALO GENERAL MEDICAL CENTER
 100 HIGH ST
 BUFFALO, NY 14203

Contact: PETER MURPHY
 BUFFALO GENERAL HOSPITAL
 100 HIGH ST
 BUFFALO, NY 14203
 (716) 859-2818

Description:
 Buffalo General Hospital operates three dual-fuel boilers and nine diesel-fired emergency generators in the Boiler House. The boilers are identified as emission sources B-000A, B-000B, and B-000D and are each rated at 75 MMBTU/hr heat rating. A new unit, Boiler B-000D, replaced boiler B-000C which was removed in late 2019. Boilers B-000A and B-000B can be operated with either natural gas or residual/#4 fuel oil while boiler B-000D can be operated with either natural gas or distillate/#2 fuel oil. The natural gas service to the boiler plant is sized to accommodate the concurrent use of only two boilers.

Buffalo General will limit actual emissions of sulfur dioxide (SO₂) and oxides of nitrogen (NO_x) to less than 99 tons during any consecutive twelve-month period for purposes of capping out of the major facility applicability requirements of 6NYCRR Part 201-6. The emission limits cap the facility under the major source threshold for SO₂ and NO_x emissions, which is 100 tons of NO_x per year, as defined in 6 NYCRR Part 201-2.1(b)(21). The SO₂ emission limit also caps the facility below the applicability threshold of 40 CFR 52.21, Subpart A, Prevention of Significant Deterioration, which is 250 tons of SO₂ per year. Actual emissions must be calculated on a monthly basis and an Annual Cap Certification must be submitted to the Department for each calendar year.

Boiler B-000D will be subject to certain applicable requirements of 40CFR60 Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. Boilers B-000A, B-000B, and B-000D are subject to the certain applicable requirements

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of 40CFR63 Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

The facility is subject to the requirements of 6NYCRR Part 225-1 which limits the use of oil in stationary combustion sources to distillate (#2 fuel) oil with 0.0015 percent sulfur by weight or less and residual (#4 fuel) oil with 0.50 percent sulfur by weight or less. Vendor certifications documenting the sulfur-in-fuel content for each delivery must be maintained.

The facility is subject to the opacity limitations of 6NYCRR Part 227-1 and is required to observe the emission point for each boiler once per day for visible emissions while the boiler is being fired by fuel oil.

Four of the emergency generators are subject to certain requirements of 40CFR63 Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants (NESHAP) for Reciprocating Internal Combustion Engines while the remaining five are subject to certain requirements of 40CFR60 Subpart IIII - New Source Performance Standards (NSPS) for Stationary Compression Ignition Internal Combustion Engines.

Annual and short-term impacts from boiler emissions of SO₂ and NO_x were modeled using conservative emission estimates and the AerScreen air dispersion screening tool. The modeling results indicate compliance with the primary and secondary SO₂ and NO_x National Ambient Air Quality Standards (NAAQS).

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: MARK F PASSUITE
 NYSDEC - REGION 9
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2915

Authorized Signature: _____ Date: ___ / ___ / ___

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Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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Facility Level

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

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

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

Item 3.1:

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

Item 3.2:

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

Item 3.3

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

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Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

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

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

****** Facility Level ******

Condition 5: Submission of application for permit modification or renewal-REGION 9 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 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2915
(716) 851-7165

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ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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Permit Issued To: BUFFALO GENERAL HOSPITAL
100 HIGH ST
BUFFALO, NY 14203-1126

Facility: BUFFALO GENERAL MEDICAL CENTER
100 HIGH ST
BUFFALO, NY 14203

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

Permit Effective Date: 01/28/2020

Permit Expiration Date: 01/27/2030

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 1/FINAL

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

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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: Recycling and Salvage - 6 NYCRR 201-1.7

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

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

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item H: Proof of Eligibility for Sources Defined as Trivial

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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 I: Required Emission Tests - 6 NYCRR 202-1.1

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

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

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

Item K: Permit Exclusion - ECL 19-0305

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

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

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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: Facility Permissible Emissions
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 1.1:

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

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

CAS No: 007446-09-5	PTE: 190,000 pounds per year
Name: SULFUR DIOXIDE	

CAS No: 0NY210-00-0	PTE: 190,000 pounds per year
Name: OXIDES OF NITROGEN	

Condition 2: Capping Monitoring Condition
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2.1:

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

6 NYCRR 201-6.1

Item 2.2:

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

Item 2.3:

The owner or operator of the permitted facility must maintain all required records on-site for a

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period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2.4:

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

Item 2.5:

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

Item 2.6:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The permittee will limit actual emissions of oxides of nitrogen (NOx) to less than 99 tons per year, on a 12-month rolling total basis, for purposes of capping out of the major facility applicability requirements of 6NYCRR Part 201-6. This emission limit caps the facility under the major source threshold for NOx emissions, which is 100 tons of NOx per year, as defined in 6 NYCRR Part 201-2.1(b)(21).

At the beginning of each month, the facility shall calculate total NOx emissions for the previous month and total NOx emissions for the previous consecutive 12-month period. Monthly NOx emissions are determined as follows:

$$\text{NOx (lb/month)} = \text{NOng} + \text{NO\#4oil} + \text{NO\#2oil}$$

where,

NOng = Monthly NOx emission rate based on natural gas usage

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$\text{NOng} = (\text{MMcf nat. gas burned/month}) \times (100 \text{ lb/MMcf})$

$\text{NO\#4oil} = \text{Monthly NOx emission rate based on \#4 fuel oil usage.}$

$\text{NO\#4oil} = (\text{gal. \#4 oil burned/month}) \times (0.0020 \text{ lb/gal})$

$\text{NO\#2oil} = \text{Monthly NOx emission rate based on \#2 fuel oil usage.}$

$\text{NO\#2oil} = (\text{gal. \#2 oil burned/month}) \times (0.0020 \text{ lb/gal})$

The emissions factors used in the above equation, (100 lb NOx/ MMcf natural gas) and (20 lb NOx/1000 gal #2 or #4 fuel oil), are from the USEPA Compilation of Air Pollution Emission Factors (AP-42), Fifth Edition, Volume I, Table 1.4-1 (July 1998) and Table 1.3-1 (May 2010), respectively.

The facility shall maintain records showing the quantity of fuel burned on a monthly basis. Records shall be based on verifiable data such as fuel metering data or fuel purchase records to confirm the general accuracy of the monthly fuel usage amounts. All fuel use records and corresponding emission calculations shall be kept on site for a minimum of five (5) years. This information shall be made available to the department upon request.

The facility shall submit to the Department an Annual Capping Certification for the previous calendar year by the 30th of January of each year. The report must include the monthly NOx emissions and total NOx emissions for each rolling 12-month period throughout the calendar year.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 99 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2020.

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

Condition 3: Capping Monitoring Condition

Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3.1:

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

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to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 201-6.1
40 CFR 52.21

Item 3.2:

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

Item 3.3:

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 3.4:

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 3.5:

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

Item 3.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The permittee will limit actual emissions of sulfur dioxide (SO₂) to less than 99 tons per year, on a 12-month rolling total basis, for purposes of capping out of the major facility applicability requirements of 6NYCRR Part 201-6. This emission limit caps the facility under the major source threshold for SO₂ emissions, which is 100 tons of SO₂ per year, as defined in 6 NYCRR Part 201-2.1(b)(21). The emission limit also caps the facility below the applicability threshold of 40 CFR 52.21, Subpart

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A, Prevention of Significant Deterioration, which is 250 tons of SO₂ per year.

At the beginning of each month, the facility shall calculate total SO₂ emissions for the previous month and total SO₂ emissions for the previous consecutive 12-month period. Monthly SO₂ emissions from the boilers are determined as follows:

$SO_2 \text{ (lb/month)} = SO_{\#4oil} + SO_{\#2oil}$
where,

$SO_{\#4oil} =$ Monthly SO₂ emission rate based on #4 fuel oil usage by boilers

$SO_{\#4oil} =$ (MMcf nat. gas burned in boilers/month) x (0.6 lb/MMcf)

$SO_{\#2oil} =$ Monthly SO₂ emission rate based on #2 fuel oil usage by boilers

$SO_{\#2oil} =$ (gal. #2 oil burned in boilers/month) x (150S lb/1000 gal)

$SO_{\#4oil} =$ Monthly SO₂ emission rate based on #4 fuel oil usage by boilers

$SO_{\#4oil} =$ (gal. #4 oil burned in boilers/month) x (142S lb/1000 gal)

S = % sulfur content of the fuel

The emissions factors used in the above equation (0.6 lb SO₂/ MMcf natural gas), (150S lb SO₂/ 1000 gal #4 oil), and (142S lb SO₂/ 1000 gal #2 oil) are from the USEPA Compilation of Air Pollution Emission Factors (AP-42), Fifth Edition, Volume I, Table 1.4-2 (July 1998) and Table 1.3-1 (May 2010), respectively.

The facility shall maintain records showing the quantity of fuel burned on a monthly basis. Records shall be based on verifiable data such as fuel metering data or fuel purchase records to confirm the general accuracy of the monthly fuel usage amounts. All fuel usage records and corresponding emission calculations shall be kept on site for a minimum of five (5) years. This information shall be made available to the Department upon request.

The facility shall submit to the Department an Annual Capping Certification for the previous calendar year by the 30th of January of each year. The report must include the monthly SO₂ emissions and total SO₂ emissions for each rolling 12-month period throughout the calendar year.

Parameter Monitored: SULFUR DIOXIDE

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Upper Permit Limit: 99 tons per year
 Monitoring Frequency: MONTHLY
 Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2020.
 Subsequent reports are due every 12 calendar month(s).

Condition 4: Visible Emissions Limited
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement:6 NYCRR 211.2

Item 4.1:

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 5: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement:6 NYCRR 225-1.2 (e)

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of any stationary combustion installation that fires residual oil are limited to the firing of residual oil with a sulfur content of 0.50% on or after July 1, 2016. Compliance with this limit will be based on vendor certifications. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.50 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 6: Compliance Demonstration

Permit ID: 9-1402-00089/00014

Facility DEC ID: 9140200089

Effective between the dates of 01/28/2020 and 01/27/2030

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

Item 6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 6.2:

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. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Compliance with this limit ensures compliance with the 0.50 percent sulfur by weight or less limit for fuel oil specified under 40 CFR Part 60 Subpart Dc for Boiler B-000D.

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: UPON REQUEST BY REGULATORY AGENCY

Condition 7: Compliance Demonstration

Effective between the dates of 01/28/2020 and 01/27/2030

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

Item 7.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: B-00002

Item 7.2:

Compliance Demonstration shall include the following monitoring:

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

Permit ID: 9-1402-00089/00014

Facility DEC ID: 9140200089

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based on the 6-minute average in EPA Reference Test Method 9 in Appendix A of 40CFR Part 60.

Operators of oil-fired boilers 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 average) 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

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plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Parameter Monitored: OPACITY
 Upper Permit Limit: 20 percent
 Reference Test Method: EPA Reference Method 9
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
 Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 8: Applicability of Subpart A General Provisions
 Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement:40CFR 60, NSPS Subpart A

Item 8.1:
 This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 9: Compliance Demonstration
 Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement:40CFR 60, NSPS Subpart Dc

Item 9.1:
 The Compliance Demonstration activity will be performed for the facility:
 The Compliance Demonstration applies to:

Emission Unit: B-00002	Emission Point: 00002
Process: B01	Emission Source: B000D
Emission Unit: B-00002	Emission Point: 00002
Process: B03	Emission Source: B000D

Item 9.2:
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
 Monitoring Description:

This regulation applies to the facility's combustion sources that are rated between 10 and 100 mmBtu/hr and that were constructed after June 9, 1989. All records maintained to assure compliance with this regulation must remain onsite and made available for Department review upon request.

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Buffalo General Medical Center is responsible for complying with all applicable technical, administrative and reporting requirements specified in 40CFR60 Subpart Dc and in this Air State Facility permit. All required records shall be maintained onsite for a minimum of 5 years and shall be available for NYSDEC and/or USEPA review upon request.

The reporting period for the reports required by this regulation is each six-month period, i.e., January 1st - June 30th and July 1st - December 31st. All reports shall be postmarked by the 30th day following the end of the reporting period.

Any report required to be submitted by this regulation shall be sent to the following addresses:

Director, Air and Waste Management Division
 US Environmental Protection Agency Region II
 Federal Office Building
 26 Federal Plaza (Foley Square)
 New York, NY 10278

Regional Air Pollution Control Engineer
 NYSDEC Region 9
 270 Michigan Avenue
 Buffalo, NY 14203-2999

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 1/30/2020.

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

Condition 10: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement:40CFR 60.42c(d), NSPS Subpart Dc

Item 10.1:

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

Emission Unit: B-00002	Emission Point: 00002
Process: B03	Emission Source: B000D

Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC

Permit ID: 9-1402-00089/00014

Facility DEC ID: 9140200089

OPERATIONS

Monitoring Description:

No owner or operator of an affected facility that combusts oil shall combust oil that contains greater than 0.5 weight percent sulfur. Note that 6NYCRR Part 225-1.2 specifies a limit of 0.0015 percent by weight for the sulfur content of distillate/No. 2 fuel oil purchased by an owner and/or operator to fuel any stationary combustion installation.

The owner or operator of each affected facility subject to the sulfur dioxide emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall keep records and submit reports as required under §60.48c(d), including the following information, as applicable.

(1) Calendar dates covered in the reporting period.

(11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under §60.48c(f)(1), (2), (3) or (4), as applicable. In addition to records of fuel supplier certifications, the report shall include the fuel oil delivery dates, quantity of fuel oil delivered, the quantity of fuel oil combusted in each affected facility and a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

Reports shall be submitted to the following addresses for each six-month period, i.e., January 1st - June 30th and July 1st - December 31st. All reports shall be postmarked by the 30th day following the end of the reporting period:

Director, Air and Waste Management Division
 US Environmental Protection Agency Region II
 Federal Office Building
 26 Federal Plaza (Foley Square)
 New York, NY 10278

Regional Air Pollution Control Engineer
 NYSDEC Region 9
 270 Michigan Avenue
 Buffalo, NY 14203-2999

Work Practice Type: PARAMETER OF PROCESS MATERIAL
 Process Material: NUMBER 2 OIL
 Parameter Monitored: SULFUR CONTENT

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Upper Permit Limit: 0.5 percent by weight
 Monitoring Frequency: PER DELIVERY
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
 TIME (INSTANTANEOUS/DISCRETE OR GRAB)
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2020.
 Subsequent reports are due every 6 calendar month(s).

Condition 11: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

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

Item 11.1:
 The Compliance Demonstration activity will be performed for the Facility.

Item 11.2:
 Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of an affected facility that combusts coal, wood, or oil and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. The opacity standard under this section applies at all times, except during periods of startup, shutdown, or malfunction.

Specific opacity monitoring and reporting requirements are detailed in a separate permit condition under §60.47c(a).

Parameter Monitored: OPACITY
 Upper Permit Limit: 20 percent
 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 1/30/2020.
 Subsequent reports are due every 6 calendar month(s).

Condition 12: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement:40CFR 60.47c(a), NSPS Subpart Dc

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Facility DEC ID: 9140200089

Item 12.1:

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

Emission Unit: B-00002	Emission Point: 00002
Process: B03	Emission Source: B000D

Item 12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

INITIAL OPACITY TESTING REQUIREMENTS:

The owner or operator of an affected facility subject to an opacity standard in §60.43c(c) shall conduct a performance test using Method 9 of appendix A-4 of this part and the procedures in §60.11 to demonstrate compliance with the applicable limit in §60.43c(c) within 180 days after initial startup of the facility. The observation period for Method 9 of appendix A-4 of this part performance tests may be reduced from 3 hours to 60 minutes if all 6-minute averages are less than 10 percent and all individual 15-second observations are less than or equal to 20 percent during the initial 60 minutes of observation.

SUBSEQUENT OPACITY TESTING REQUIREMENTS:

The affected facility shall comply with the requirement for subsequent testing in accordance with either paragraphs (a)(1), (a)(2), or (a)(3) of this section.

(a)(1) Except as provided in paragraph (a)(2) and (a)(3) of this section, the owner or operator shall conduct subsequent Method 9 of appendix A-4 of this part performance tests using the procedures in paragraph (a) of this section according to the applicable schedule in paragraphs (a)(1)(i) through (a)(1)(iv) of this section, as determined by the most recent Method 9 of appendix A-4 of this part performance test results.

(i) If no visible emissions are observed, a subsequent Method 9 of appendix A-4 of this part performance test must be completed within 12 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later;

(ii) If visible emissions are observed but the maximum 6-minute average opacity is less than or equal to 5 percent, a subsequent Method 9 of appendix A-4 of this part performance test must be completed within 6 calendar

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months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later;

(iii) If the maximum 6-minute average opacity is greater than 5 percent but less than or equal to 10 percent, a subsequent Method 9 of appendix A-4 of this part performance test must be completed within 3 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later; or

(iv) If the maximum 6-minute average opacity is greater than 10 percent, a subsequent Method 9 of appendix A-4 of this part performance test must be completed within 45 calendar days from the date that the most recent performance test was conducted.

(a)(2) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A-4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A-4 of this part performance tests, elect to perform subsequent monitoring using Method 22 of appendix A-7 of this part according to the procedures specified in paragraphs (a)(2)(i) and (ii) of this section.

(i) The owner or operator shall conduct 10 minute observations (during normal operation) each operating day the affected facility fires fuel for which an opacity standard is applicable using Method 22 of appendix A-7 of this part and demonstrate that the sum of the occurrences of any visible emissions is not in excess of 5 percent of the observation period (i.e., 30 seconds per 10 minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial 10 minute observation, immediately conduct a 30 minute observation. If the sum of the occurrence of visible emissions is greater than 5 percent of the observation period (i.e., 90 seconds per 30 minute period), the owner or operator shall either document and adjust the operation of the facility and demonstrate within 24 hours that the sum of the occurrence of visible emissions is equal to or less than 5 percent during a 30 minute observation (i.e., 90 seconds) or conduct a new Method 9 of appendix A-4 of this part performance test using the procedures in paragraph (a) of this section within 45 calendar days according to the requirements in §60.45c(a)(8).

(ii) If no visible emissions are observed for 10 operating days during which an opacity standard is applicable, observations can be reduced to once every 7 operating days during which an opacity standard is applicable. If any visible emissions are observed, daily observations shall

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be resumed.

(a)(3) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A-4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A-4 performance tests, elect to perform subsequent monitoring using a digital opacity compliance system according to a site-specific monitoring plan approved by the Administrator. The observations shall be similar, but not necessarily identical, to the requirements in paragraph (a)(2) of this section. For reference purposes in preparing the monitoring plan, see OAQPS “Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems.” This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Policy Group (D243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods.

OPACITY TEST REPORT SUBMISSION:

Per §60.48c(b) & (j), the owner or operator of each affected facility subject to the opacity limits of §60.43c shall submit the performance test data from the initial and any subsequent performance tests to the following addresses for each six-month period, i.e., January 1st - June 30th and July 1st - December 31st. All reports shall be postmarked by the 30th day following the end of the reporting period.

Director, Air and Waste Management Division
US Environmental Protection Agency Region II
Federal Office Building
26 Federal Plaza (Foley Square)
New York, NY 10278

Regional Air Pollution Control Engineer
NYSDEC Region 9
270 Michigan Avenue
Buffalo, NY 14203-2999

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: USEPA Reference Methods 9 and/or 22

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST

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METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2020.

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

Condition 13: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

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

Item 13.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: B-00002	Emission Point: 00002
Process: B01	Emission Source: B000D
Emission Unit: B-00002	Emission Point: 00002
Process: B03	Emission Source: B000D

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

INITIAL NOTIFICATION

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

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

This notification shall be submitted to the following addresses:

Director, Air and Waste Management Division

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US Environmental Protection Agency Region II
 Federal Office Building
 26 Federal Plaza (Foley Square)
 New York, NY 10278

Regional Air Pollution Control Engineer
 NYSDEC Region 9
 270 Michigan Avenue
 Buffalo, NY 14203-2999

Monitoring Frequency: SINGLE OCCURRENCE
 Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 14: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

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

Item 14.1:

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

Emission Unit: B-00002	Emission Point: 00002
Process: B01	Emission Source: B000D
Emission Unit: B-00002	Emission Point: 00002
Process: B03	Emission Source: B000D

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

FUEL USAGE RECORDKEEPING REQUIREMENTS

(1) Except as provided under §60.48c(g)(2) and (g)(3), the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.

(2) As an alternative to meeting the requirements of §60.48c(g)(1), the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in §60.48c(f) to demonstrate compliance with the SO₂ standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

(3) As an alternative to meeting the requirements of §60.48c(g)(1) of this section, the owner or operator of an affected facility or multiple affected facilities located

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on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to this subpart) at that property are natural gas, wood, distillate oil meeting the most current requirements in §60.42c to use fuel certification to demonstrate compliance with the SO₂ standard, and/or fuels, excluding coal and residual oil, not subject to an emissions standard (excluding opacity) may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 15: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement:40CFR 60, NSPS Subpart IIII

Item 15.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Buffalo General Medical Center owns and operates numerous reciprocating internal combustion engines. The EPA has promulgated New Source Performance Standards (NSPS) for Stationary Compression Ignition Internal Combustion Engines (ICE), found at 40CFR60 Subpart IIII. The subject engines are:

- One (1) 1000-HP compression ignition emergency generator, powered by #2 fuel oil, manufactured by Onan and installed in 2016,
- Three (3) 2682-HP compression ignition emergency generators, powered by #2 fuel oil, manufactured by Cummins and installed in 2011, and
- One (1) 2682-HP compression ignition emergency generator, powered by #2 fuel oil, manufactured by Cummins and installed in 2016.

Buffalo General Medical Center is responsible for complying with all applicable technical, administrative and reporting requirements specified in 40CFR60 Subpart IIII and in this Air State Facility permit. All required records shall be maintained onsite for a minimum of 5 years and shall be available for NYSDEC and/or USEPA

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review upon request.

2007 model year and later emergency ICE with a displacement of less than 30 liters per cylinder, that commenced construction after July 11, 2005 and were manufactured after April 1, 2006 must comply with:

1. The emission standards of §60.4205(b) and §60.4202;
2. The fuel requirements of §60.4207(b);
3. The monitoring requirements of §60.4209(a) and, if equipped with a particulate filter, §60.4209(b); and
4. The compliance requirements of §60.4211(a), (b), (f) and (g), and appropriate testing and notification requirements.

The owner or operator shall develop procedures to determine applicability and assure compliance for new purchases, modifications, and reconstructions relevant to stationary internal combustion engines at the facility.

Permit modifications or preconstruction permits are not required for changes (new engine installations, engine modifications, and engine reconstructions) to emergency stationary internal combustion engines, at this facility, as long as the following conditions are met:

1. The engine(s) involved in the change meet the definition of “emergency stationary internal combustion engine” in §60.4219;
2. The change will not cause the facility to be out of compliance with this permit condition, the terms of this permit, and/or the provisions of 40CFR60 Subpart III;
3. The change will not cause the facility to become subject to any additional applicable requirement;
4. The change will not cause the facility to be out of compliance with any applicable requirement; and
5. The change will not cause the facility to exceed any emission cap or limit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 16: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement: 40CFR 63, Subpart JJJJJ

Item 16.1:

The Compliance Demonstration activity will be performed for the Facility.

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Item 16.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Buffalo General Medical Center operates multiple dual fuel (natural gas and oil) fired boilers that may be subject to 40CFR63 Subpart JJJJJ (National Emission Standard for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources). The boilers will NOT be subject to the rule if they continuously meet the definition of "gas-fired boiler" per §63.11237 which reads "A Gas-fired Boiler includes any boiler that burns gaseous fuels not combined with any solid fuels and burns liquid fuel only during periods of gas curtailment, gas supply interruption, startups, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of 48 hours during any calendar year."

To demonstrate that the boilers are not subject to 40CFR63 Subpart JJJJJ requirements, Buffalo General Medical Center shall maintain records pertaining to liquid fuel, including but not limited to, the hours each boiler is operated with fuel oil each calendar year for periodic testing, maintenance, and/or operator training, the quantity of fuel oil purchased and combusted each calendar year and any other pertinent information that can verify compliance with the 48-hour operating limit for each boiler. Records shall be maintained on-site and shall be readily available upon request by a NYSDEC and/or USEPA representative.

The owner or operator must comply with 40CFR63 Subpart JJJJJ as applicable to individual boilers, included but not limited to notifications, work practice standards, management practice standards, reporting and record retention. Per §63.11225(a)(2), it is the owner's responsibility to submit an initial notification to the administrator and the Department when boilers become subject to this condition.

At all times the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require any further efforts to reduce emissions if levels required by this

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standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

Buffalo General Medical Center is responsible for complying with all applicable technical, administrative and reporting requirements specified in 40CFR63 Subpart JJJJJ and in this Air State Facility permit. All required records shall be maintained onsite for a minimum of 5 years and shall be available for NYSDEC and/or USEPA review upon request.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 48 hours

Monitoring Frequency: WHEN THE SOURCE IS OPERATING

Averaging Method: ANNUAL TOTAL

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 17: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable Federal Requirement: 40CFR 63, Subpart ZZZZ

Item 17.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Buffalo General Medical Center (BGMC) owns and operates numerous reciprocating internal combustion engines. The EPA has promulgated National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (NESHAP RICE), found at 40CFR63 Subpart ZZZZ. BGMC emits less than 10 tons per year (tpy) individual hazardous air pollutants (HAPs) and less than 25 tpy total HAPs and is therefore considered an area source of HAPs. The subject engines are:

- Two (2) 1000-HP compression ignition emergency generators, powered by #2 fuel oil, manufactured by Onan and installed in 1983, and
- Two (2) 737-HP compression ignition emergency generators, powered by #2 fuel oil, manufactured by Caterpillar and installed in 2000.

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These engines are considered "existing" because they were constructed before June 12, 2006. In addition, the engines are considered institutional emergency stationary RICE since they are used in a medical center. In accordance with §63.6585(f)(3), existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in §63.6640(f)(4)(ii) are not subject to this subpart if the stationary RICE meets the definition of an emergency stationary RICE in §63.6675, which includes operating according to the provisions specified in §63.6640(f).

In accordance with 63.6675, emergency stationary RICE means any stationary reciprocating internal combustion engine that is operated to provide electrical power or mechanical work during an emergency situation and is operated under limited circumstances as specified in §63.6640(f). All emergency stationary RICE must comply with the requirements specified in §63.6640(f) to be considered emergency stationary RICE.

In accordance with §63.6640(f), if you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. For the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

§63.6640(f)(1) There is no time limit on the use of emergency stationary RICE in emergency situations.

§63.6640(f)(2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(4) of this section counts as part of the 100 hours per calendar year allowed by paragraph (f)(2).

(i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local

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government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine.

(§63.6640(f)(3) This section only applies to major sources of HAPs.)

§63.6640(f)(4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

BGMC must operate and maintain the stationary emergency RICE according to the manufacturer's emission-related operation and maintenance instructions or develop and follow their own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. BGMC shall minimize each engine's time spent at idle during startup and minimize each engine's startup time to a period needed for appropriate and safe loading of the engine. All engines must be equipped with non-resettable hour meters. The hours of operation and purpose must be recorded from the non-resettable hour meters after each use. If an engine is used for emergency operation, the hours of operation for the emergency and what classified the operation as emergency must be recorded, with supporting documentation included.

BGMC is responsible for complying with all applicable technical, administrative and reporting requirements specified in 40CFR63 Subpart ZZZZ and in this Air State Facility permit. BGMC shall maintain a plan to ensure compliance with any applicable requirements of this subpart. The compliance plan shall identify all existing emergency generators owned and/or operated by BGMC subject to 40CFR63 Subpart ZZZZ, and the following for each engine: location, manufacturer, model number, model year, fuel type, heat input, ratings, maximum power output, rpm, displacement, manufacture and installation dates, Subpart ZZZZ applicability with justification, citations for all applicable requirements and how BGMC will ensure/verify

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compliance with each applicable requirement (i.e. non-resettable hour meters, operating logs, maintenance logs, inspection reports, purchase records, etc. BGMC shall maintain all applicable records onsite for a minimum of 5 years and have them readily available for NYSDEC review upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

(1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;

(3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

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

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 18: Contaminant List

Effective between the dates of 01/28/2020 and 01/27/2030

Applicable State Requirement: ECL 19-0301

Item 18.1:

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: 0NY210-00-0
Name: OXIDES OF NITROGEN

Condition 19: Malfunctions and start-up/shutdown activities

Effective between the dates of 01/28/2020 and 01/27/2030

Applicable State Requirement: 6 NYCRR 201-1.4

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Item 19.1:

(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.

(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 20: Emission Unit Definition**Effective between the dates of 01/28/2020 and 01/27/2030****Applicable State Requirement: 6 NYCRR Subpart 201-5****Item 20.1:**

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

Emission Unit: B-00002

Emission Unit Description:

Prior to boiler plant modifications which are occurring in late 2019, the boiler plant consists of three dual-fuel (natural gas and #6 fuel oil) boilers identified as emission sources B-000A, B-000B, and B-000C. B-000A and

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B-000B have 75 MMBTU/hr heat input ratings while B-000C has a 39.3 MMBTU/hr heat input rating.

The boiler plant will be modified in late 2019 to remove and replace boiler B-000C with a new dual-fuel (natural gas and #2 fuel oil) boiler, identified as emission source B-000D. B-000D will have a 75 MMBtu/hr heat input rating. B-000A and B-000B will use #4 fuel oil (instead of #6 fuel oil) as the backup fuel.

Boilers B-000A and B-000B exhaust via emission point 00001. Boiler B-000D will exhaust via new emission point 00002.

Boiler B-000D will be subject to certain applicable requirements of 40CFR60 Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

Boilers B-000A, B-000B, and B-000D are subject to the certain applicable requirements of 40CFR63 Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

Building(s): BOILER

Condition 21: Renewal deadlines for state facility permits
Effective between the dates of 01/28/2020 and 01/27/2030

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

Item 21.1:

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 22: Compliance Demonstration
Effective between the dates of 01/28/2020 and 01/27/2030

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

Item 22.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 22.2:

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

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Engineer (RAPCE) at the following address:

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 9
270 Michigan Ave.
Buffalo, NY 14203

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Air pollution prohibited
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable State Requirement:6 NYCRR 211.1

Item 23.1:

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

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

Condition 24: Emission Point Definition By Emission Unit
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 24.1:

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

Emission Unit: B-00002

Emission Point: 00001
Height (ft.): 152 Diameter (in.): 60
NYTMN (km.): 4757.142 NYTME (km.): 184.468 Building: BOILER

Emission Point: 00002
Height (ft.): 55 Diameter (in.): 30
NYTMN (km.): 4757.155 NYTME (km.): 184.471 Building: BOILER

Condition 25: Process Definition By Emission Unit
Effective between the dates of 01/28/2020 and 01/27/2030

Applicable State Requirement:6 NYCRR Subpart 201-5

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Item 25.1:

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

Emission Unit: B-00002

Process: B01

Source Classification Code: 1-03-006-02

Process Description:

The use of natural gas as the fuel for the boilers.

Emission Source/Control: B000A - Combustion

Design Capacity: 75 million Btu per hour

Emission Source/Control: B000B - Combustion

Design Capacity: 75 million Btu per hour

Emission Source/Control: B000D - Combustion

Design Capacity: 75 million Btu per hour

Item 25.2:

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

Emission Unit: B-00002

Process: B02

Source Classification Code: 1-03-004-02

Process Description:

The use of #4 fuel oil as the fuel for boilers B-000A and B-000B.

Emission Source/Control: B000A - Combustion

Design Capacity: 75 million Btu per hour

Emission Source/Control: B000B - Combustion

Design Capacity: 75 million Btu per hour

Item 25.3:

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

Emission Unit: B-00002

Process: B03

Source Classification Code: 1-03-005-02

Process Description: The use of #2 fuel oil as the fuel for boilers.

Emission Source/Control: B000D - Combustion

Design Capacity: 75 million Btu per hour

Permit ID: 9-1402-00089/00014

Facility DEC ID: 9140200089