

Facility DEC ID: 9140200573

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility

Permit ID: 9-1402-00573/00010

Mod 0 Effective Date: 09/18/2013 Expiration Date: 10/01/2022

Mod 1 Effective Date: 02/03/2020 Expiration Date: No expiration date.

Mod 2 Effective Date: 04/01/2020 Expiration Date: 09/17/2023

Permit Issued To: STATE UNIVERSITY OF NEW YORK  
STATE UNIVERSITY PLAZA  
381 BROADWAY  
ALBANY, NY 12246

Contact: STATE UNIVERSITY OF NEW YORK  
STATE UNIVERSITY PLAZA  
381 BROADWAY  
ALBANY, NY 12246  
(518) 443-5355

Facility: BUFFALO STATE COLLEGE  
1300 ELMWOOD AVE  
BUFFALO, NY 14222

Contact: JOHN P BLEECH  
BUFFALO STATE - DC205  
1300 ELMWOOD AVE  
BUFFALO, NY 14222-1095  
(716) 878-6136

Description:

**AIR STATE FACILITY (ASF) PERMIT DESCRIPTION**  
**BUFFALO STATE COLLEGE**  
**DEC PERMIT I.D. No. 9-1402-00573/00010**  
**REN 0 MOD 2**

Buffalo State College (BSC), located at 1300 Elmwood Avenue in the City of Buffalo, New York, is the largest four-year college in the State University of New York (SUNY) system. BSC offers more than 100 undergraduate and graduate degree programs in the arts, sciences and education and has an enrollment of approximately 10,000 students, about 2000 of which are graduate level. The main campus encompasses approximately 125 acres with 40 buildings. The Standard Industrial Classification (SIC) Code for this facility is 8221-Colleges, Universities, & Professional Schools. This Air State Facility permit allows BSC to operate as a synthetic minor.

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Buffalo State College currently owns and operates a powerhouse on campus which supplies steam for the space heating of the buildings and dormitories on campus. The steam is currently produced by three stationary combustion installations (boilers), identified as Emission Source (ES) 0001A (Boiler 1A), ES 0001B (Boiler 1B), and ES 0001C (Boiler 1C) and one small boiler (Emission Source 0001E (Boiler 1E)), used predominantly during the summer months. All existing boilers are fueled by natural gas, identified as Process 200. The existing boilers are collectively identified as Emission Unit U-00001. The small boiler has a maximum design heat input capacity of 33.5 MMBTU/hr and is equipped with a low-NOx burner (Emission Source Control (ESC) CTL1E). Boilers 1A, 1B and 1C, installed in 1949, were de-rated in 1999 through a mechanical adjustment to approximately 53 MMBTU/hr. These boilers are not equipped with any type of emission control equipment. Emissions from these boilers are exhausted through a common stack, identified as Emission Point (EP) BSC01. The small boiler exhausts to the ambient air through EP BSC02.

Process 100, the combustion of residual oil in Boilers 1A, 1B and 1C has been removed from the ASF permit. In late January 2020 BSC sealed the No. 6 oil supply lines to these boilers in preparation for the closure of the six (6) 42,000-gallon #6 oil supply tanks. The permanent closure of the No. 6 fuel oil storage tanks is expected by the end of 2020 and will be conducted in accordance with applicable NYSDEC bulk storage requirements. The demolition of Boiler 1D (ES 0001D) commenced December 23, 2019. Boiler 1D has been removed from the ASF permit.

This ASF permit modification is for the replacement of the four current powerhouse boilers with three new gas-fired boilers (Powerhouse Project). The Powerhouse Project will occur in three phases. The first phase will include the installation of a new natural gas-fired boiler, with a maximum heat input of 33.5 MMBTU/hr in the location of demolished Boiler 1D. This boiler, identified as ES 0002C (Boiler 2C), will be equipped with a low NOx burner (ESC CTL2C). Boiler 2C will exhaust to the atmosphere through EP BSC03. Once Boiler 2C is operational, the natural gas line to Boiler 1E will be disconnected. During Phase 2, Boiler 1E will be removed and two natural gas-fired boilers, with a maximum heat input of 77.5 MMBTU/hr, each will be installed. These boilers, identified as ES 0002A (Boiler 2A) and ES 0002B (Boiler 2B), will be equipped with a low NOx burner (ESC CTL2A and ESC CTL2B) for natural gas. Boilers 2A and 2B will exhaust to the atmosphere through existing EP BSC01. Phase 3 of the modification is the permanent decommissioning of Boilers 1A, 1B and 1C.

An air quality impact analysis was conducted using AerMod to determine compliance with the National Ambient Air Quality Standards (NAAQS) during each phase of this project. Emissions of PM-10, PM 2.5, SO<sub>2</sub>, NO<sub>x</sub> and CO were evaluated with background concentrations and showed compliance with the NAAQS for these contaminants. Boiler operating restrictions during each phase of the project will not be required.

The Facility's potential to emit oxides of nitrogen (NO<sub>x</sub>) exceeds the major source pollutant thresholds listed in 6NYCRR Subpart 201-6: Title V Facility Permits. The facility-wide NO<sub>x</sub> emissions also exceed the major source threshold specified in 6NYCRR Subpart 227-2: Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen (NO<sub>x</sub>). Buffalo State College has chosen to operate as a synthetic minor by limiting their potential to emit NO<sub>x</sub> to 99 tons per year each, which is less than the major source thresholds that would require a Title V permit and compliance with NO<sub>x</sub> RACT. The new natural gas-fired boilers and the existing small natural gas boiler are subject to the requirements of 40CFR60, Standards of Performance for New Stationary Sources, Subpart A- General

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Provisions and Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

Buffalo State College operates numerous emergency power generating stationary internal combustion engines (ICE) throughout the campus which are considered exempt from air permitting in accordance with 6NYCRR201-3.2(c)(6). Fourteen of the ICE, fueled by natural gas, are considered new and are subject to the requirements of 40CFR60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition (SI) Internal Combustion Engines for emergency operation. One ICE, fueled with diesel, is considered new and is subject to the requirements of Subpart IIII - Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines. The SI ICE and CI ICE subject to 40CFR60 Subparts JJJJ and IIII, respectively are also subject to 40CFR60 Subpart A - General Provisions. BSC also operates nineteen existing reciprocating (R) ICE that are exempt from 40CFR63 Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, if operated as emergency stationary RICE according to the provisions specified in §63.6640(f). Although the emergency engines, new and existing, are exempt from air permitting, BSC must maintain a current comprehensive compliance plan for all engines and must maintain records to demonstrate operation of the engines for emergency purposes and compliance with all applicable requirements under 40 CFR Part 60 and 40 CFR Part 63. Buffalo State College is also subject to 6NYCRR Subpart 225-1: Fuel Composition and Use - Sulfur Limitations, which restricts the sulfur content of distillate oil utilized throughout the facility to 0.0015% by weight or less.

The Facility conducts a surface coating operation for maintenance purposes that is exempt from air permitting in accordance with 6NYCRR201-3.2(c)(17). However, the surface coating operation is subject to the General Requirements specified under 6NYCRR Subpart 228-1.3 (a) through (d).

Buffalo State College also operates a gasoline/diesel dispensing station onsite, consisting of two fiberglass underground storage tanks with a capacity of 8000 gallons, each, which were installed in 1979 and are exempt from air permitting in accordance with 6NYCRR201-3.2(c)(25). Gasoline throughput is less than 120,000 gallons per year, therefore the gasoline dispensing station is not subject to the requirements of 6NYCRR Part 230. The facility operates other sources throughout the campus which are considered exempt from air permitting in accordance with 6NYCRR201-3.2(c), including small natural gas fired boilers, hot water heaters and furnaces, fuel oil storage tanks with capacities less than 300,000 barrels, numerous laboratory hoods, an exhaust system for paint mixing, transfer, filling or sampling and/or paint storage rooms or cabinets, and non-contact water cooling towers. All exempt and trivial activities are subject to the operating and recordkeeping requirements specified under 6NYCRR Subpart 201-3: Permit Exempt and Trivial Activities.

This Air State Facility permit contains a complete listing of the applicable federal, state and compliance monitoring requirements for the facility.

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

Permit Administrator: LISA M CZECHOWICZ  
NYSDEC - REGION 9  
700 Delaware Ave  
BUFFALO, NY 14209

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

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**Notification of Other State Permittee Obligations**

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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**DEC GENERAL CONDITIONS**

**General Provisions**

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- 7 2 Relationship of this Permit to Other Department Orders and Determinations
- 7 3 Applications for permit renewals, modifications and transfers
- 8 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 8 5 Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS

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

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

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

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

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

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

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

**Condition 2-1: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6 NYCRR 621.11**

**Item 2-1.1:**  
 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 2-1.2:**  
 The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

**Item 2-1.3**  
 Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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

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**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal-REGION 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: STATE UNIVERSITY OF NEW YORK  
STATE UNIVERSITY PLAZA  
381 BROADWAY  
ALBANY, NY 12246

Facility: BUFFALO STATE COLLEGE  
1300 ELMWOOD AVE  
BUFFALO, NY 14222

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

Mod 0 Permit Effective Date: 09/18/2013

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Permit Expiration Date: 09/17/2023

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NOTE: \* preceding the condition number indicates capping.

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**FEDERALLY ENFORCEABLE CONDITIONS**

Mod 2/FINAL

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to

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

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

**Condition 2-1: Compliance Demonstration**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

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

**Replaces Condition(s) 1**

**Item 2-1.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-1.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Buffalo State College (BSC) operates numerous stationary internal combustion engines (ICEs) to generate electricity in emergency situations. These stationary ICEs are considered exempt from air permitting if operated as a mechanical or electrical power source only when the usual supply of power is unavailable, and are operated for no more than 500 hours per year, each. The 500 hours of annual operation for each engine includes operation during emergency situations, routine maintenance, and routine exercising (for example, test firing the engine for one hour a week to ensure reliability). Stationary internal combustion engines used for peak shaving and/or demand response programs are not exempt.

As proof of exempt eligibility for the emergency ICE, the facility shall maintain monthly records which demonstrate that each engine is operated no more than 500 hours per year. A non-resettable hour counter or similar device shall be utilized to monitor hours of operation, which shall be recorded in a logbook or electronically on a secure server after each use. The emergency generators shall be operated and maintained according to manufacturer's specifications to ensure proper performance. Records demonstrating hours of operation, the manufacturer's maintenance requirements and the

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maintenance/repair performed on these sources shall be kept onsite for five years and be readily available to NYSDEC representatives upon request.

BSC shall comply with all applicable requirements for operation of emergency ICE, including, but not limited to, 40CFR63 Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40CFR60 Subpart IIII- Standards of Performance for Stationary Compression Ignition Internal Combustion Engines and 40CFR60 Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

Work Practice Type: HOURS PER YEAR OPERATION  
 Upper Permit Limit: 500 hours  
 Monitoring Frequency: WHEN THE SOURCE IS OPERATING  
 Averaging Method: ANNUAL TOTAL  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-2: Compliance Demonstration**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

**Applicable Federal Requirement: 6 NYCRR 201-3.2 (c) (17)**

**Replaces Condition(s) 2**

**Item 2-2.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Surface coating and related activities at facilities which use less than 25 gallons per month of total coating materials, or with actual VOC emissions of 1,000 pounds or less from coating materials in any 12-month period are exempt from air permitting requirements. Coating materials include all paints and paint components, other materials mixed with paints prior to application, and cleaning solvents, combined. This exemption is valid only if 1) all abrasive cleaning and surface coating operations are performed in an enclosed building where such operations are exhausted into appropriate emission control devices operated and maintained in a manner consistent with manufacturer's specifications and good engineering practices and 2) all records necessary to demonstrate compliance with this Subpart are maintained on-site for a period of five years and are available to representatives of the department upon request.

Buffalo State College (BSC) conducts surface coating

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operations in a spray booth with appropriate control for maintenance operations. BSC applies coatings manually with a roller, brush, cloth or aerosol spray can and mechanically, with a hand-held spray gun. The total monthly coating material throughput is less than 25 gallons. In accordance with 6NYCRR201-3.2(c)(17), BSC is exempt from permitting requirements for this surface coating operation. To verify exempt status, BSC shall maintain a log of the coating material used to demonstrate that the total monthly usage remains below 25 gallons. In addition, BSC shall maintain all records required to verify that the control device is operated and maintained in a manner consistent with the manufacturer's specifications and good engineering practices. All records (e.g. purchase orders, receipts, usage logs, product MSDSs, Technical/Product Data Sheets, maintenance logs, repair records, etc.) shall be maintained onsite for 5 years and be readily available for NYSDEC review upon request.

In accordance with 6NYCRR228-1.1(b)(9), if BSC maintains facility wide use of all as applied coatings (includes thinners and other additives to the coating) on a 12-month rolling total basis to fifty-five (55) gallons or less, maintains records of as applied coatings and complies with the general requirements of 6NYCRR228-1.3, then the mechanical surface coating operations are not subject to the VOC control requirements under 6NYCRR Subpart 228-1. Coating lines where coatings are applied manually (by hand or without the use of mechanical means) with a brush, roller, cloth or an aerosol spray can are exempt from all 6NYCRR228-1 requirements. However, these coatings, including thinners and other additives to the coatings, must be counted toward the 55-gallon limit under 6NYCRR Subpart 228-1.1(b)(9). Records must be maintained at the facility for a minimum of five years to verify exempt status and must be available for NYSDEC review upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-3: Facility Permissible Emissions**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

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

**Item 2-3.1:**

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:



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CAS No: 0NY210-00-0 (From Mod 2) PTE: 198,000 pounds per year

Name: OXIDES OF NITROGEN

**Condition 2-4: Capping Monitoring Condition**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

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

**Item 2-4.1:**

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

- 6 NYCRR Subpart 201-6
- 6 NYCRR Subpart 227-2

**Item 2-4.2:**

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

**Item 2-4.3:**

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

**Item 2-4.4:**

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 2-4.5:**

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 2-4.6:**

The Compliance Demonstration activity will be performed for the Facility.

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

**Item 2-4.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Permit ID: 9-1402-00573/00010

Facility DEC ID: 9140200573

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

Monitoring Description:

Buffalo State College shall not exceed a facility-wide total emission rate of 99 TPY of oxides of nitrogen (NOx) to maintain actual emissions below the applicability threshold of 6NYCRR Subpart 201-6: Title V Facility Permits and 6NYCRR Subpart 227-2: Reasonably Available Control Technology (RACT) for Oxides of Nitrogen (NOx), as determined by summing the individual monthly NOx emissions during any consecutive 12-month period (12-month rolling total). The major source applicability threshold for Title V and NOx RACT is 100 tons of NOx per year.

The permitted emission sources contributing to the facility NOx emissions include seven natural gas fired boilers, three with a maximum design heat input capacity of approximately 53 mmBtu/hr each (Emission Source (ES) 0001A, ES 0001B, and ES 0001C), two with a maximum design heat input capacity of 77.5 mmBtu/hr each (ES 0002A and ES 0002B) and two with a maximum design heat input capacity of 33.5 mmBtu/hr (ES 0001E and ES 0002C). Boilers 2A, 2B, 2C, and 1E are all equipped with low-NOx natural gas-fired burners (ES Control CTL2A, CTL2B, CTL2C and CTL1E). The boilers are contained in Emission Unit U-00001 and operate via Process 200 (boilers firing natural gas). Upon completion of the boiler replacement project, ES 0001A, ES 0001B, ES 0001C and ES 0001E will either be removed or fully decommissioned and will no longer contribute to facility-wide NOx emissions.

In addition to the boilers, BSC shall also include the following combustion sources, exempt from permitting in accordance with 6NYCRR Subpart 201-3.2 (c), when determining facility-wide NOx emissions: small natural gas fired stationary combustion units (less than 10 mmBtu/hr maximum design heat input capacity), and diesel/natural gas fueled internal combustion engines used to generate electricity in emergency situations.

Buffalo State College (BSC) must prepare monthly NOx emission records. Monthly mass emission rates of NOx shall be determined with monthly fuel usage quantities and the following formulas.

$NOx \text{ (tons/mo)} = A + B + C + D + E + F + G + H$   
where,

A = Actual monthly NOx emissions in tons for Process 200 (ES 0001A, ES 0001B, and ES 0001C).

$A = (140 \text{ lbs NOx} / 10E+06 \text{ cf natural gas burned}) \times (\text{total cf natural gas burned/mo}) \times (\text{ton}/2000 \text{ lb})$

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B = Actual monthly NO<sub>x</sub> emissions in tons for Process 200 (ES 0001E).

$B = (75 \text{ lbs NO}_x / 10E+06 \text{ cf natural gas burned}) \times (\text{cf natural gas burned/mo}) \times (\text{ton}/2000 \text{ lb})$

C = Actual monthly NO<sub>x</sub> emissions in tons for Process 200 (ES 0002A and ES 0002B).

$C = (61.2 \text{ lbs NO}_x / 10E+06 \text{ cf natural gas burned}) \times (\text{total cf natural gas burned/mo}) \times (\text{ton}/2000 \text{ lb})$

D = Actual monthly NO<sub>x</sub> emissions in tons for Process 200 (ES 0002C).

$D = (35.7 \text{ lbs NO}_x / 10E+06 \text{ cf natural gas burned}) \times (\text{cf natural gas burned/mo}) \times (\text{ton}/2000 \text{ lb})$

E = Actual monthly NO<sub>x</sub> emissions in tons for small natural gas fired stationary combustion units (less than 10 mmBtu/hr maximum design heat input capacity).

$E = (100 \text{ lbs NO}_x / 10E+06 \text{ cf natural gas burned}) \times (\text{cf natural gas burned/mo}) \times (\text{ton}/2000 \text{ lb})$

F = Actual monthly NO<sub>x</sub> emission rate in tons based on diesel usage for small emergency generators (internal combustion engine rated at 600 hp and below).

$F = (0.61 \text{ lb NO}_x / \text{gal diesel burned}) \times (\text{gal diesel burned/mo}) \times (\text{ton}/2000 \text{ lb})$

G = Actual monthly NO<sub>x</sub> emission rate in tons based on natural gas usage for emergency generators.

$G = (0.0042 \text{ lb NO}_x / \text{cf natural gas burned}) \times (\text{cf natural gas burned/mo}) \times (\text{ton}/2000 \text{ lb})$

H = Actual monthly NO<sub>x</sub> emission rate in tons based on diesel usage for large emergency generators (internal combustion engine rated greater than 600 hp).

$H = (0.26 \text{ lb NO}_x / \text{gal diesel burned}) \times (\text{gal diesel burned/mo}) \times (\text{ton}/2000 \text{ lbs})$

References Cited for Emission Factors:

A: Table 1.4-2 Emission factors for SO<sub>2</sub>, NO<sub>x</sub>, and CO from natural gas combustion, USEPA Compilation of Air Pollutant Emission Factors, AP-42, Volume 1, Supplement F, Section 1.4 Natural Gas Combustion, July 1993.

B: Cleaver Brooks Boiler Estimated Exhaust/Emission Performance Data for Boiler Model CB700-800-200#

C: Cleaver Brooks Boiler Emissions Estimate Letter for Water-tube Boilers dated April 8, 2019 (Guaranteed emissions from 25%-100% MCR, corrected to 3% O<sub>2</sub> on dry basis).

D: Cleaver Brooks Boiler Emissions Estimate Letter for

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Firetube Boiler dated May 1, 2019 (Guaranteed emissions from 25%-100% MCR, corrected to 3% O<sub>2</sub> on dry basis).

E: Table 1.4-1 Emission factors for SO<sub>2</sub>, NO<sub>x</sub>, and CO from natural gas combustion, USEPA Compilation of Air Pollutant Emission Factors, AP-42, Volume 1, Chapter 1, Section 1.4 Natural Gas Combustion, Supplement D, March 1998.

F: Table 3.3-1. Emission Factors for Uncontrolled Gasoline and Diesel Industrial Engines: Diesel Fuel, USEPA Compilation of Air Pollutant Emission Factors, AP-42, Chapter 3, Section 3.3 Gasoline and Diesel Industrial Engines, October 1996 (used 138,000 Btu/gallon (HV of diesel) to convert lb NO<sub>x</sub>/mmBtu to lb NO<sub>x</sub>/gallon).

G: Table 3.2-2. Uncontrolled Emission Factors For 4-Stroke Lean-Burn Engines, USEPA Compilation of Air Pollutant Emission Factors, AP-42, 5th Ed., Vol 1, Chapter 3 – Stationary Internal Combustion Sources, Section 3.2 Natural Gas-fired Reciprocating Engines, Supplement F, July 2000 (used 1020 Btu/cf (HV of natural gas) to convert lb NO<sub>x</sub>/mmBtu to lb NO<sub>x</sub>/cf).

H: The value of 0.26 lb NO<sub>x</sub>/gal is based on the value of 1.9 lb/mmBTU reported for controlled emissions in Table 3.4-1 of the 1996 AP-42. Note: BSC has 1 generator (at 800 kW) that falls into this large generator category. It is a Tier 2 engine that has an EPA Certificate of Conformity that identifies NMHC+NO<sub>x</sub> at 6.3 g/kW-hr, which is below the Tier 2 standard for NMHC+NO<sub>x</sub> at 6.4 g/kW-hr. Assuming the maximum fuel consumption (100% load) of 57.22 gal/hr (see manufacturer spec sheet), the AP-42 emission factor for controlled NO<sub>x</sub> emissions was confirmed as follows:

$$\text{NO}_x = (6.4 \text{ g/kW-hr}) * (800 \text{ kW}) * (1 \text{ hr}/57.22 \text{ gal.}) * (0.0022046 \text{ lb/g}) = 0.20 \text{ lbs/gal.}$$

Note: If an emergency engine has an EPA Certificate of Conformity and is guaranteed to meet a NO<sub>x</sub> standard, BSC may use that standard to calculate NO<sub>x</sub> emissions from that engine to be counted towards the NO<sub>x</sub> emission CAP.

Each calendar month, the facility-wide 12-month rolling total for NO<sub>x</sub> emissions shall be computed by adding the current monthly NO<sub>x</sub> emissions to the NO<sub>x</sub> emissions for the previous 11 months. BSC shall maintain records of the quantity of fuel burned for all sources. Records shall be based on verifiable data such as fuel metering data and/or fuel purchase records to confirm the general accuracy of the monthly fuel usage amounts.

BSC shall submit to the Regional Office of the Department, an annual NO<sub>x</sub> emission report which certifies that the facility has been operated within the limits imposed by the emission cap. The report shall list the types and monthly quantity of fuels burned for each source, the monthly NO<sub>x</sub> emissions, the total monthly NO<sub>x</sub> emissions,

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the rolling 12-month total NO<sub>x</sub> emissions for each consecutive month of the calendar year and a comparison to the 99 tpy NO<sub>x</sub> limit. The annual report shall be submitted by January 30th for the previous calendar year.

The operation and maintenance of all combustion sources at the facility shall be conducted in accordance with the manufacturer's specifications, good engineering practice, and 40CFR60 Subpart JJJJ/Subpart IIII and 40CFR63 Subpart ZZZZ for the emergency generator engines. All records of fuel usage/purchase, calculations, assumptions, reports, inspections, adjustments, data, performance tests, calibration, maintenance, tune-ups and repair for each combustion source shall be kept for the most recent five years and shall be made available for review by NYSDEC representatives upon request.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 99 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

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

**Condition 34: Visible Emissions Limited**  
**Effective between the dates of 09/18/2013 and 09/17/2023**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 34.1:**

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 2-5: Compliance Demonstration**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

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

**Item 2-5.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 2-5.2:**

Compliance Demonstration shall include the following monitoring:

Permit ID: 9-1402-00573/00010

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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. In accordance with 6NYCRR200.1(r), distillate oil is defined as a fuel oil consisting of distilled fractions and having a kinematic viscosity of 5.8 centistokes or less at 100 degrees Fahrenheit. This includes ASTM grade numbers 1 and 2 fuel oil, ASTM grade numbers 1-D and 2-D diesel fuel oil and proposed ASTM grade numbers 1-GT and 2-GT gas turbine fuel oil.

Compliance with this limit will be based on vendor certifications. A log of the sulfur content in distillate oil per delivery must be maintained on site for a minimum of five years after the date of the last entry. The Facility is responsible for complying with all applicable reporting, sampling/analysis and record keeping requirements specified under §225-1.6.

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 2-6: Compliance Demonstration**  
 Effective between the dates of 04/01/2020 and 09/17/2023

**Applicable Federal Requirement: 6 NYCRR 228-1.1 (b) (9)**

**Replaces Condition(s) 12**

**Item 2-6.1:**  
 The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
 CAS No: 0NY998-00-0 VOC

**Item 2-6.2:**  
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Buffalo State College is not subject to the VOC control requirements under Subpart 228-1 if facility-wide use of coatings, as applied, on a 12-month rolling total basis

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does not exceed fifty-five (55) gallons. This exemption is contingent on the owner or operator of the facility maintaining records of such surface coatings, and maintaining compliance with all requirements of Section 228-1.3: General Requirements, of this Subpart. Mobile equipment repair and refinishing or color matched coating lines do not qualify for this exemption.

Buffalo State College shall maintain monthly records including purchase orders, receipts, usage logs and other pertinent information for all coatings, as applied (includes thinning solvents and other coating additives) for all methods of application, i.e. manual and mechanical (spray gun). Each calendar month, the facility-wide 12-month rolling total for coatings, as applied, shall be computed by adding the current monthly usage to the usage for the previous 11 months and compared to the facility wide 55 gallon limit. BSC shall maintain records onsite for a minimum of 5 years and make all records available to NYSDEC representatives upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: COATING MIXED

Upper Permit Limit: 55 gallons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 13: Compliance Demonstration**  
**Effective between the dates of 09/18/2013 and 09/17/2023**

**Applicable Federal Requirement: 6 NYCRR 228-1.3 (a)**

**Item 13.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance

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with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions when the spray painting is in operation. If any visible emissions are identified, corrective action is required immediately. Details regarding the visible emissions surveys shall be recorded in a logbook or electronically on a secure server. This log must be maintained onsite for a minimum of 5 years and shall be available for NYSDEC review upon request. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-7: Compliance Demonstration**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

**Applicable Federal Requirement: 6 NYCRR 228-1.3 (b) (2)**

**Replaces Condition(s) 14**

**Item 2-7.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-7.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of emission sources not subject to this Subpart as set forth in Paragraphs 228-1.1(b)(9) of this Part, or those sources that are using coatings not subject to specific requirements of this Subpart as set forth in Paragraph 228-1.3(e)(2), a 55 gallon non-compliant coating (as applied) annual limit exemption, or other low use exemptions specified under Clauses 228-1.4(b)(5)(iii)(e), 228-1.4(b)(5)(iii)(i) or 228-1.4(b)(5)(iv) of this Part, must maintain records on an as used basis. The records must include the relevant regulatory citation of each exemption and quantity of coating used. If the exemption criteria are based on VOC usage, the records must contain calculations and supplier/manufacture material data sheets for verification of VOC usage. All records required by this Paragraph must be maintained at the facility for a period of five years.



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Monitoring Frequency: WHEN THE SOURCE IS OPERATING  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-8: Compliance Demonstration**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

**Applicable Federal Requirement: 6 NYCRR 228-1.3 (c)**

**Replaces Condition(s) 15**

**Item 2-8.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Prohibition of sale or specification.

(1) No person shall sell, supply, offer for sale, solicit, use, specify, or require for use, the application of a coating on a part or product at a facility with a coating line described in Section 228-1.1(a) of this Subpart if such sale, specification, or use is prohibited by any of the provisions of this Subpart. The prohibition shall apply to all written or oral contracts under the terms of which any coating is to be applied to any part or product at an affected facility. This prohibition shall not apply to the following:

(i) coatings utilized at surface coating lines where control equipment has been installed to meet the maximum permitted VOC content limitations specified in the tables of Section 228-1.4 of this Subpart;

(ii) coatings utilized at surface coating lines where a coating system is used which meets the requirements specified in Subdivision 228-1.5(d) of this Subpart; and

(iii) coatings utilized at surface coating lines that have been granted variances pursuant to Subdivision 228-1.5(e) of this Subpart.

(2) Any person selling a coating for use in a coating line subject to this Part must, upon request, provide the user with certification of the VOC content of the coating supplied.

Monitoring Frequency: CONTINUOUS

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Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-9: Compliance Demonstration**  
 Effective between the dates of 04/01/2020 and 09/17/2023

**Applicable Federal Requirement: 6 NYCRR 228-1.3 (d)**

**Replaces Condition(s) 16**

**Item 2-9.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Handling, storage and disposal of volatile organic compounds.

Within the work area(s) associated with a coating line, the owner or operator of a facility subject to this Subpart must:

- (1) use closed, non-leaking containers to store or dispose of cloth or other absorbent applicators impregnated with VOC solvents that are used for surface preparation, cleanup or coating removal;
- (2) store in closed, non-leaking containers spent or fresh VOC solvents to be used for surface preparation, cleanup or coating removal;
- (3) not use VOC solvents to cleanup spray equipment unless equipment is used to collect the cleaning compounds and to minimize VOC evaporation;
- (4) not use open containers to store or dispense surface coatings and/or inks unless production, sampling, maintenance or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purpose of applying a coating material to a substrate. These devices may include, but are not limited to: spray guns, flow coaters, dip tanks, rollers, knife coaters, and extrusion coaters;
- (5) not use open containers to store or dispose of spent surface coatings, or spent VOC solvents;
- (6) minimize spills during the handling and transfer of coatings and VOC solvents; and

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(7) clean hand held spray guns by one of the following:

(i) an enclosed spray gun cleaning system that is kept closed when not in use;

(ii) non-atomized discharge of VOC solvent into a paint waste container that is kept closed when not in use;

(iii) disassembling and cleaning of the spray gun in a vat that is kept closed when not in use; or

(iv) atomized spray into a paint waste container that is fitted with a device designed to capture atomized VOC solvent emissions.

To demonstrate compliance with the work practice standards specified above, the facility operator shall maintain a log or check list to record inspections of the coating line and associated work/storage area each use. These handling, storage and disposal requirements shall be conspicuously posted in the work area. Coating line operators shall be trained to follow these work practice standards and housekeeping requirements. Records demonstrating compliance with these requirements shall be maintained onsite for a minimum of five years and shall be available to NYSDEC representatives upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-10: Compliance Demonstration**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

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

**Item 2-10.1:**

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

Emission Unit: U-00001 Process: 200	Emission Point: BSC01 Emission Source: 0002A
Emission Unit: U-00001 Process: 200	Emission Point: BSC01 Emission Source: 0002B
Emission Unit: U-00001 Process: 200	Emission Point: BSC03 Emission Source: 0002C

**Item 2-10.2:**

Permit ID: 9-1402-00573/00010

Facility DEC ID: 9140200573

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) Any owner or operator subject to this part shall furnish the Administrator with the following information:

1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;

3) a notification of the actual date of initial start up, post marked within 15 days after such date;

4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change.

(b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

This notifications shall be submitted to the following addresses:

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

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

The facility shall maintain notification records onsite.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-11: Compliance Demonstration**  
 Effective between the dates of 04/01/2020 and 09/17/2023

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

**Item 2-11.1:**

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

Emission Unit: U-00001 Process: 200	Emission Point: BSC02 Emission Source: 0001E
Emission Unit: U-00001 Process: 200	Emission Point: BSC01 Emission Source: 0002A
Emission Unit: U-00001 Process: 200	Emission Point: BSC01 Emission Source: 0002B
Emission Unit: U-00001 Process: 200	Emission Point: BSC03 Emission Source: 0002C

**Item 2-11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 100 million British thermal units per hour (mmBtu/hr) or less, but greater than or equal to 10 mmBtu/hr.

Buffalo State College is responsible for reviewing and 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 and shall be available for NYSDEC and/or USEPA review upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-12: Compliance Demonstration**  
 Effective between the dates of 04/01/2020 and 09/17/2023

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

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Facility DEC ID: 9140200573

**Item 2-12.1:**

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

Emission Unit: U-00001 Process: 200	Emission Point: BSC01 Emission Source: 0002A
Emission Unit: U-00001 Process: 200	Emission Point: BSC01 Emission Source: 0002B
Emission Unit: U-00001 Process: 200	Emission Point: BSC03 Emission Source: 0002C

**Item 2-12.2:**

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

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

Permit ID: 9-1402-00573/00010

Facility DEC ID: 9140200573

The facility shall maintain notification records onsite for a minimum of 5 years.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-13: Compliance Demonstration**

**Effective between the dates of 04/01/2020 and 09/17/2023**

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

**Replaces Condition(s) 28**

**Item 2-13.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Process: 200

Emission Source: 0001E

Emission Unit: U-00001

Process: 200

Emission Source: 0002A

Emission Unit: U-00001

Process: 200

Emission Source: 0002B

Emission Unit: U-00001

Process: 200

Emission Source: 0002C

**Item 2-13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

**MONITORING AND RECORDING FUEL COMBUSTED**

As an alternative to meeting the daily monitoring requirements of paragraph (g)(1) of this section, 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 SO<sub>2</sub> 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.

To demonstrate compliance with this requirement Boiler 1E, Boiler 2A, Boiler 2B and Boiler 2C shall each be equipped with a dedicated fuel flow meter to measure natural gas combusted. Natural gas usage for each boiler shall be recorded on the last day of each calendar month and recorded in a permanent logbook or electronically on a secure server. The records of the amount of natural gas

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burned monthly in each boiler shall be maintained onsite for at least five years and shall be made available to NYSDEC representatives upon request. Once the natural gas supply to Boiler 1E has been permanently disconnected, monitoring of natural gas usage for Boiler 1E will no longer be necessary.

Monitoring Frequency: MONTHLY  
 Averaging Method: CALENDAR MONTH TOTAL  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-14: Compliance Demonstration**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

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

**Replaces Condition(s) 17**

**Item 2-14.1:**  
 The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
 CAS No: 000630-08-0 CARBON MONOXIDE  
 CAS No: 0NY998-00-0 VOC  
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 2-14.2:**  
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

Buffalo State College (BSC) operates one stationary compression ignition (CI) internal combustion engine (ICE) for the generation of electricity during emergency situations. This CI ICE is fueled with diesel and is subject to the requirements of 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

In accordance with §60.4211(f) If you own or operate an emergency stationary CI ICE, you must operate the emergency stationary CI ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary CI ICE 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 (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for nonemergency engines.



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(1) There is no time limit on the use of emergency stationary CI ICE in emergency situations.

(2) You may operate your emergency stationary CI ICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary CI ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine.

(3) Emergency stationary CI ICE 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. Except as provided in paragraph (f)(3)(i) of this section, the 50 hours per calendar 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.

BSC is responsible for complying with all applicable technical, administrative and reporting requirements specified in 40CFR60 Subpart III and in this Air State Facility permit. BSC shall identify all applicable requirements specified in this Subpart and maintain a plan to ensure compliance with these requirements. The compliance plan shall identify all existing and new emergency stationary CI ICE owned and/or operated by BSC and shall include the location of each engine, manufacturer, model number, model year, fuel type, input, ratings, maximum power output, rpm, displacement (L/cyl), the manufacture and installation dates, Subpart III applicability with justification, citations for all applicable requirements and how BSC will ensure and verify compliance with each applicable requirement (e.g. proof of certification or performance testing (if necessary) to meet emission standards, non-resettable hour meters, operating logs, maintenance logs, inspection reports, purchase records, etc. NYSDEC received BSC's initial compliance plan for their emergency engines on November 20, 2019. The compliance plan shall be updated, as necessary and a copy supplied to NYSDEC Region 9 office

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whenever changes are made.

BSC must operate and maintain the stationary emergency CI ICE 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. BSC 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.

BSC is also responsible for complying with all applicable requirements specified under 40 CFR Part 60, Subpart A. Internal combustion engines, constructed or reconstructed on or after June 12, 2006, that meet the requirements of 40 CFR 60 Subpart IIII meet the requirements of 40 CFR 63 Subpart ZZZZ.

BSC shall maintain all applicable records including notifications, reports, manufacturer's specifications, certifications, maintenance, etc. onsite and have them readily available for USEPA and/or NYSDEC review upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-15: Compliance Demonstration**  
**Effective between the dates of 04/01/2020 and 09/17/2023**

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

**Replaces Condition(s) 18**

**Item 2-15.1:**  
 The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):	
CAS No: 000630-08-0	CARBON MONOXIDE
CAS No: 0NY998-00-0	VOC
CAS No: 0NY210-00-0	OXIDES OF NITROGEN

**Item 2-15.2:**  
 Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Buffalo State College (BSC) operates fourteen stationary spark ignition (SI) internal combustion engines (ICE) for the generation of electricity during emergency situations. These SI ICE are fueled with natural gas and are subject to the requirements of 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

In accordance with §60.4243 (d) if you own or operate an emergency stationary SI ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (d)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE 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 (d)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (d)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for nonemergency engines.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) You may operate your emergency stationary SI ICE for any combination of the purposes specified in paragraphs (d)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (d)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (d)(2).

(i) Emergency stationary SI ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine.

(3) Emergency stationary SI ICE 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 (d)(2) of this section. Except as provided in paragraph (d)(3)(i) of this section, the 50 hours per year for non-emergency situations cannot be used

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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.

BSC shall identify all applicable requirements specified in this Subpart and maintain a plan to ensure compliance with these requirements. The compliance plan shall identify all existing and new emergency stationary SI ICE owned and/or operated by BSC subject to this requirement. For each SI ICE, the compliance plan shall include the location, manufacturer, model number, model year, fuel type, heat input, ratings, maximum power output, rpm, displacement (L/cyl), the manufacture and installation dates, Subpart JJJJ applicability with justification, citations for all applicable requirements and how BSC will ensure and verify compliance with each applicable requirement, e.g. proof of certification or performance testing (if necessary) to meet emission standards, non-resettable hour meters, operating logs, maintenance logs, inspection reports, purchase records, etc. and any other pertinent information. NYSDEC received BSC's initial compliance plan for their emergency engines on November 20, 2019. The compliance plan shall be updated, as necessary and a copy supplied to NYSDEC Region 9 office.

BSC must operate and maintain the stationary emergency CI ICE 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. BSC 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.

BSC is also responsible for complying with all applicable requirements specified under 40 CFR Part 60, Subpart A. Internal combustion engines constructed or reconstructed on or after June 12, 2006, that meet the requirements of 40 CFR 60 Subpart JJJJ meet the requirements of 40 CFR 63 Subpart ZZZZ.

BSC shall maintain all applicable records including

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notifications, reports, manufacturer's specifications, certifications, maintenance, etc. onsite and have them readily available for USEPA and/or NYSDEC review upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-16: Compliance Demonstration**  
Effective between the dates of 04/01/2020 and 09/17/2023

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

**Item 2-16.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-16.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Buffalo State College (BSC) 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. BSC operates nineteen existing emergency stationary reciprocating Internal combustion engines (RICE) throughout their campus. Sixteen of the emergency engines are spark ignition, fueled by natural gas and the remaining three emergency engines are compression ignition, fueled by diesel. 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 an institution of higher learning. 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.

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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 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)(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.

BSC 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

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the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. BSC 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.

BSC is responsible for complying with all applicable technical, administrative and reporting requirements specified in 40CFR63 Subpart ZZZZ and in this Air State Facility permit. BSC 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 BSC 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 BSC will ensure/verify compliance with each applicable requirement (i.e. non-resettable hour meters, operating logs, maintenance logs, inspection reports, purchase records, etc. NYSDEC received BSC's initial compliance plan for their emergency engines on November 20, 2019. The compliance plan shall be updated, as necessary and an updated copy supplied to NYSDEC Region 9 office.

BSC 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 in 6 NYCRR subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

(2) the equipment at the facility was being properly operated and maintained;

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

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

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

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

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

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



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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 29: Contaminant List**

**Effective between the dates of 09/18/2013 and 09/17/2023**

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

**Item 29.1:**

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

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

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

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

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

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**Condition 30: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 09/18/2013 and 09/17/2023**

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

**Item 30.1:**

(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 31: Emission Unit Definition**  
**Effective between the dates of 09/18/2013 and 09/17/2023**

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

**Item 31.1(From Mod 2):**

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

Emission Unit: U-00001

Emission Unit Description:

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This emission unit consists of the campus power plant located in Building 45, which currently contains four boilers to produce steam for space heating throughout the college campus. Boilers 1A, 1B and 1C (Emission Sources (ES) 0001A, 0001B, and 0001C) fire natural gas and have a maximum heat input capacity of 53 mmBtu/hr, each. These boilers are capable of firing No. 6 oil, however the No. 6 oil supply lines to Boilers 1A, 1B and 1C were sealed during January 2020 for the closure of the six (6) 42,000-gallon No. 6 oil supply tanks in accordance with Bulk Storage requirements in late 2020. Boiler 1E (ES 0001E) is equipped with a low-NOx burner, fires only natural gas and has a maximum design heat input capacity of 33.5 mmBtu/hr. Boilers 1A, 1A and 1C exhaust through a common stack, Emission Point (EP) BSC01, with a current potential stack heat input of 212 mmBtu/hr. Boiler 1E exhausts through EP BSC02.

Buffalo State College will replace the existing Power Plant boilers with new boilers. The Power Plant Project consists of:

- removal of Boiler 1D and Boiler 1E;
- decommissioning Boilers 1A, 1B and 1C;
- installing two new natural gas-fired watertube boilers, Boiler 2A and Boiler 2B (ES 0002A and ES 0002B), which will have a rated heat input capacity of 77.5 mmBtu/hr, each and are equipped with low NOx burners. Boilers 2A and 2B will exhaust through existing EP BSC01;
- installing one new natural gas-fired firetube boiler, Boiler 2C (ES 0002C), which will have a rated heat input capacity of 33.5 mmBtu/hr and will be equipped with a low NOx burner. Boiler 2C will exhaust through EP BSC03.

Upon completion of the Power Plant Project, Emission Unit U-00001 will consist of Boilers 2A, 2B and 2C, with a total rated heat input capacity of 188.5 mmBtu/hr.

Building(s): 45

**Condition 32: Renewal deadlines for state facility permits  
Effective between the dates of 09/18/2013 and 09/17/2023**

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

**Item 32.1:**

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 2-17: CLCPA Applicability**

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

**Item 2-17.1:**

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

**Condition 33: Compliance Demonstration**  
Effective between the dates of 09/18/2013 and 09/17/2023

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

**Item 33.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 33.2:**

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 9  
270 Michigan Ave.  
Buffalo, NY 14203

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 7: Air pollution prohibited**  
Effective between the dates of 09/18/2013 and 09/17/2023

**Applicable State Requirement:6 NYCRR 211.1**

**Item 7.1:**

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

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

**Condition 35: Emission Point Definition By Emission Unit**  
**Effective between the dates of 09/18/2013 and 09/17/2023**

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

**Item 35.1(From Mod 2):**

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

Emission Unit: U-00001

Emission Point: BSC01  
 Height (ft.): 153 Diameter (in.): 120  
 NYTMN (km.): 4760.672 NYTME (km.): 183.024 Building: 45

Emission Point: BSC02  
 Height (ft.): 45 Diameter (in.): 36  
 NYTMN (km.): 4760.688 NYTME (km.): 183.046 Building: 45

Emission Point: BSC03  
 Height (ft.): 58 Diameter (in.): 38  
 NYTMN (km.): 4760.688 NYTME (km.): 183.037 Building: 45

**Condition 36: Process Definition By Emission Unit**  
**Effective between the dates of 09/18/2013 and 09/17/2023**

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

**Item 36.1(From Mod 2):**

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

Emission Unit: U-00001  
 Process: 200 Source Classification Code: 1-03-006-02

Process Description:  
 Process 200 is the combustion of natural gas in any of  
 the power plant boilers to produce steam for space  
 heating.

Emission Source/Control: 0001A - Combustion  
 Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001B - Combustion  
 Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001C - Combustion  
 Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001E - Combustion  
 Design Capacity: 33.5 million Btu per hour

Emission Source/Control: 0002A - Combustion

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Facility DEC ID: 9140200573

Design Capacity: 77.5 million Btu per hour

Emission Source/Control: 0002B - Combustion  
Design Capacity: 77.5 million Btu per hour

Emission Source/Control: 0002C - Combustion  
Design Capacity: 33.5 million Btu per hour

Emission Source/Control: CTL1E - Control  
Control Type: LOW NOx BURNER

Emission Source/Control: CTL2A - Control  
Control Type: LOW NOx BURNER

Emission Source/Control: CTL2B - Control  
Control Type: LOW NOx BURNER

Emission Source/Control: CTL2C - Control  
Control Type: LOW NOx BURNER

**Permit ID: 9-1402-00573/00010**

**Facility DEC ID: 9140200573**