

**Division of Air Resources  
Permit Review Report**

**Permit ID: 1-4720-00355/00043**

**Renewal Number: 2**

**04/29/2022**

**Facility Identification Data**

Name: BERGEN POINT WWTP

Address: 600 BERGEN AVE|SCTM 100-241-1-1.1  
W BABYLON, NY 11704

**Owner/Firm**

Name: SUFFOLK COUNTY

Address: H LEE DENNISON BLDG  
100 VETERANS MEMORIAL HWY  
HAUPPAUGE, NY 11788, USA

Owner Classification: Municipal

**Permit Contacts**

Division of Environmental Permits:

Name: KEVIN A KISPERT

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50 CIRCLE RD

STONY BROOK, NY 11790

Phone:6314440302

Division of Air Resources:

Name: DEEPAK RAMRAKHIANI

Address: NYSDEC - REGION 1 SUNY @ STONY BROOK  
50 CIRCLE RD

STONY BROOK, NY 11790-3409

Phone:6314440205

Air Permitting Contact:

Name: SOUTHWEST SEWER DISTRICT #3

Address: SUFFOLK COUNTY DEPT OF PUBLIC WORKS  
335 YAPHANK AVE

YAPHANK, NY 11980

Phone:6318524000

**Permit Description**

**Introduction**

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

**Summary Description of Proposed Project**

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This project consists of the renewal and modification of the Title V permit issued to Bergen Point Wastewater Treatment Plant (WWTP). The permit modification is to reflect the removal of the two (2) multiple hearth incinerators (Emission Unit U-00001), the ash silo (emission unit U-00004), two (2) 39.2 MMBtu/hr Cleaver Brook Boilers, and the addition of a sixth multi-stage chemical scrubber as an odor control system in the Headworks building. The modification also reflects an increase in capacity of from 30.5 to 40.5 mgd wastewater.

Three existing emission units (groups of emission sources) that were previously classified as exempt have been reclassified as permitted units: U-00010 Four Emergency Engine Generators; U-00011 Two Standby Turbine Generators; and U00012 Four Cogeneration Units. These emission units are subject to annual NOx emission limits as per 6 NYCRR Part 231 netting procedures. The turbines are subject to 6 NYCRR Subpart 227-2 Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen (NOx). The NOx emission limit was set by a case-by-case RACT analysis.

**Attainment Status**

BERGEN POINT WWTP is located in the town of BABYLON in the county of SUFFOLK. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

<b>Criteria Pollutant</b>	<b>Attainment Status</b>
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

\* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

\*\* NOx has a separate ambient air quality standard in addition to being an ozone precursor.

**Facility Description:**

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Suffolk County Sewer District No.3 Southwest is a 40.5 million gallon per day (mgd) wastewater treatment plant which is located at Bergen Point in the Town of Babylon. The Bergen Point WWTP includes two (2) decommissioned multiple-hearth incinerators equipped with thermal afterburners, spray towers, venturi scrubbers, and impingement plate scrubbers. The WWTP includes a 40.5 mgd scavenger waste facility consisting of septage dumping building, treatment tanks and filters. there are six (6) packed bed scrubber using liquid hypochlorite to remove trace organics from sludge conditioning off gas, prior to discharge through six stacks. There are four (4) emergency standby generators, two (2) standby turbines and four (4) cogeneration units - all permitted emission sources. There are also several exempt combustion sources.

**Permit Structure and Description of Operations**

The Title V permit for BERGEN POINT WWTP

is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

BERGEN POINT WWTP is defined by the following emission unit(s):

Emission unit U00003 - This emission unit consists of six (6) packed bed scrubbers using liquid hypochlorite to remove hydrogen sulfide and trace organics from liquid and solids open processes prior to discharge through six (6) stacks. Liquid and solids open processes process up to 40.5 mgd of wastewater, emitting VOC and HAPs. These liquid and solid processes include:

- Two (2) scavenger waste holding tanks
- Two (2) scavenger waste chemical tanks
- Two (2) equalization tanks and pump station for scavenger waste treatment
- Three (3) cyclone de-gritters (scavenger waste)
- Main influent wet well

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- Three (3) grit tanks
- Eight (8) primary settling tanks
- Twelve (12) aeration tanks
- Eight (8) final clarifiers
- Three (3) sludge blending tanks
- Three (3) gravity belt thickeners
- One (1) scum handling system
- Eight (8) belt presses
- Effluent wet well
- One (1) UV treatment system

Emission unit U00003 is associated with the following emission points (EP):  
PBST1, PBST2, PBST3, PBST4, PBST5, PBST6

Process: P07 is located at Building C0618 - Two (2) scavenger Waste Holding Tanks

Process: P08 is located at Building C0614 - Two (2) scavenger Waste Chemical Tanks

Process: P09 is located at Building C0618 - Two (2) Equalization Tanks and Pump Station

Process: P10 is located at Building C0613 - Three (3) Cyclone De-gritters (Scavenger Waste)

Process: P11 is located at Building C0610 - 1 Main Influent Wet Well

Process: P12 is located at Building C0613 - Three (3) grit tanks

Process: P13 is located at Building C0615 - Eight (8) Primary Settling Tanks

Process: P14 is located at Building C0616 - Twelve (12) Aeration Tanks

Process: P15 is located at Building C0617 - Eight (8) Final clarifiers

Process: P16 is located at Building C0610 - Three (3) Sludge Blending Tanks

Process: P17 is located at Building C0610 - Three (3) gravity belt thickeners

Process: P18 is located at Building C0610 - One (1) Scum Handling System

Process: P20 is located at Building C0610 - Eight (8) Belt Presses

Process: P21 is located at Building C0619 - One (1) Effluent Wet Well

Process: P22 is located at Building C1107 - Ultraviolet (UV) Treatment building

Process: P24 is located at Building C0610 - One (1) packed bed Heil scrubber for treatment of off gases from sludge conditioning, using hypochlorite at an alkaline pH to remove trace organics.

Process: P25 is located at Building C0610 - One (1) packed bed Heil scrubber for treatment of off gases from sludge conditioning, using hypochlorite at an alkaline pH to remove trace organics.

Process: P26 is located at Building C0618 - One (1) packed bed Heil scrubber for treatment of off gases

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from sludge conditioning, using hypochlorite at an alkaline pH to remove trace organics.

Process: P27 is located at Building C0618 - One (1) packed bed Heil scrubber for treatment of off gases from sludge conditioning, using hypochlorite at an alkaline pH to remove trace organics.

Process: P28 is located at Building C0613 - One (1) packed bed Heil scrubber for treatment of off gases from sludge conditioning, using hypochlorite at an alkaline pH to remove trace organics.

Process: P29 One (1) packed bed Evoqua scrubber for treatment of off gases from sludge conditioning, using hypochlorite at an alkaline pH to remove trace organics.

Emission unit U00010 - Four emergency engine generators including:

P&S Engine Generator, Cummins, model no. 750DFJA, 750 kW (Emission Source ID 00033, Emission Point ID ST-33)

Trailer-Mounted Diesel Engine Generator 1, Cummins, model no. DOGAA-543445, 1,250 kW (Emission Source ID 00034, Emission Point ID ST-34)

Trailer-Mounted Diesel Engine Generator 1, Cummins, model no. DOGAA-543445, 1,250 kW (Emission Source ID 00035, Emission Point ID ST-35)

UV Disinfection Engine Generator - Cummins Model No. 750DQCB; 750 kW, certified to 2102 EPA Tier 2 exhaust emission (Emission Source ID 00036, Emission Point ID ST-36)

All process ID = EDI (Emergency Diesel Internal Combustion Engine)

Emission unit U00010 is associated with the following emission points (EP):

ST-33, ST-34, ST-35, ST-36

Process: EDI EDI = Emergency Diesel Internal Combustion Engine

The process is firing distillate oil in the four emergency standby engine generators (operating up to 500 hours each per year)

Emission unit U00011 - Two (2) turbine generators

Standby Turbine Generator 1 and Standby Turbine Generator 2, (Emission Source ID 00037 and 00038, Common stack ST-37)

Siemens 501-KB5, both turbines drive single 10,000 hp generator, no. 2 fuel oil

Siemens 501-KB5, both turbines drive single 10,000 hp generator, no. 2 fuel oil

Each Standby Generator is for use during emergencies only, and is limited to operating no more than 500 hours per year.

Process ID = SDT (Standby Diesel Turbines)

Emission unit U00011 is associated with the following emission points (EP):

ST-37

Process: SDT SDT= Standby Diesel Turbines

The process is firing distillate oil in the two standby turbines (operating up to 500 hours

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each per year for emergencies only)

Emission unit U00012 - Four (4) cogeneration units  
 Model: TECOGEN Model No. CM-75 75 kW natural-gas-fired co-gen unit (Emission Source IDs 00039, 00040, 00041 and 00042 and respective stacks ST-39, ST-40, ST-41 and ST-42)

Emission unit U00012 is associated with the following emission points (EP):  
 ST-39, ST-40, ST-41, ST-42  
 Process: COG is located at Building C0610 - COG = cogeneration unit  
 Four (4) cogeneration units firing natural gas

**Title V/Major Source Status**

BERGEN POINT WWTP is subject to Title V requirements. This determination is based on the following information:

Bergen Point WWTP is subject to Title V requirements.

This determination is based on the potential to emit (PTE) for oxides of nitrogen (NOx) is greater than 25 tons per year, which is the Title V applicability threshold.

**Program Applicability**

The following chart summarizes the applicability of BERGEN POINT WWTP with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	YES
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

**NOTES:**

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of

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National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH, 6 NYCRR 200.10) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

**Compliance Status**

Facility is in compliance with all requirements.

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**SIC Codes**

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

**SIC Code**

**Description**

4952

SEWERAGE SYSTEMS

**SCC Codes**

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

**SCC Code**

**Description**

2-01-001-01

INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION  
ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL)  
Turbine

2-01-001-02

INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION  
ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL)  
Reciprocating

2-02-002-04

INTERNAL COMBUSTION ENGINES - INDUSTRIAL  
INDUSTRIAL INTERNAL COMBUSTION ENGINE - NATURAL GAS

5-01-007-60

Reciprocating: Cogeneration  
SOLID WASTE DISPOSAL - GOVERNMENT  
SOLID WASTE DISPOSAL: GOVERNMENT - SEWAGE TREATMENT

5-01-820-01

POTW: CHLORINE CONTACT TANK  
SOLID WASTE DISPOSAL - GOVERNMENT  
SOLID WASTE DISPOSAL: GOVERNMENT - WASTEWATER, AGGREGATE  
WASTEWATER: PROCESS AREA DRAINS

**Facility Emissions Summary**

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE for each contaminant that is displayed represents the



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facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. The term ‘HAP’ refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

<b>Cas No.</b>	<b>Contaminant</b>	<b>PTE lbs/yr</b>	<b>PTE tons/yr</b>	<b>Actual lbs/yr</b>	<b>Actual tons/yr</b>
000106-99-0	1,3-BUTADIENE	9.3			
000075-07-0	ACETALDEHYDE	269			
000107-02-8	ACROLEIN	166			
007440-38-2	ARSENIC	0.1			
000071-43-2	BENZENE	34			
000095-47-6	BENZENE, 1,2-DIMETHYL	1.0E-8			
007440-41-7	BERYLLIUM	0.001			
007440-43-9	CADMIUM	0.1895			
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS	35343722			
000630-08-0	CARBON MONOXIDE	51077			
007440-47-3	CHROMIUM	0.2412			
007440-48-4	COBALT	0.0145			
000050-00-0	FORMALDEHYDE	1725.7			
000110-54-3	HEXANE	310			
007439-92-1	LEAD	0.722			
007439-96-5	MANGANESE	0.0655			
007439-97-6	MERCURY	0.0448			
000091-20-3	NAPHTHALENE	6.8185			
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	0.3618			
0NY210-00-0	OXIDES OF NITROGEN	84782			
0NY075-02-5	PM 2.5	3055			
0NY075-00-5	PM-10	3055			
007782-49-2	SELENIUM	0.0021			
007446-09-5	SULFUR DIOXIDE	227			
000108-88-3	TOLUENE	19.6			
0NY100-00-0	TOTAL HAP	2557.88			
0NY998-00-0	VOC	17768			
001330-20-7	XYLENE, M, O & P MIXT.	10			

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

- Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)**  
 The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

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**Item B: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)**

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Item C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)**

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**Item D: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)**

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)**

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

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

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

**Item G: Property Rights - 6 NYCRR 201-6.4(a)(6)**

This permit does not convey any property rights of any sort or any exclusive privilege.

**Item H: Severability - 6 NYCRR Part 201-6.4(a)(9)**

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Item I: Permit Shield - 6 NYCRR Part 201-6.4(g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified

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are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

**Item J: Reopening for Cause - 6 NYCRR Part 201-6.4(i)**

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

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

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

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

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
  - (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
  - (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
  - (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.

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(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item\_02

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

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

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

**Regulatory Analysis**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Regulation</b>	<b>Condition</b>	<b>Short Description</b>
---			
FACILITY	ECL 19-0301	53	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A.4	30	General provisions - Address
FACILITY	40CFR 60-III.4205(b)	31	Emission Standards - 2007 or later
FACILITY	40CFR 60-III.4206	32	Emergency Non Fire Pump Stationary CI-IC Engines Displacing < 30 liters/cylinder
U-00010/-/EDI/00036	40CFR 60-III.4209(a)	42	Stationary Compression Ignition IC Engines - Duration of Emission Standards Monitoring requirement - Emergency stationary CI-IC engine
FACILITY	40CFR 60-III.4211(a)	33	Stationary Compression Ignition Engines - Compliance Requirements
FACILITY	40CFR 60-III.4211(c)	34	Stationary Compression Ignition Engines - Compliance Demonstration
FACILITY	40CFR 60-III.4214(b)	35	Notification, Recordkeeping Requirements - Emergency stationary CI-IC engines

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U-00012	40CFR 60-JJJJ.4233 (e)	49	Emission limits for IC Engines > 100 HP
U-00012	40CFR 60-JJJJ.4234	50	Time period facility is subject to Subpart JJJJ
U-00012	40CFR 60-JJJJ.4243 (b) (1)	51	Compliance by purchasing a certified engine
U-00012	40CFR 60-JJJJ.4245 (a)	52	Notification, reporting and recordkeeping requirements
U-00011	40CFR 60-KKKK.4333	46	Stationary Combustion Turbine NSPS - general compliance requirements
U-00011	40CFR 60-KKKK.4390	47	Stationary Combustion Turbine NSPS - reporting requirement for emergency or R&D turbines
U-00010/-/EDI/00033	40CFR 63-ZZZZ.6603 (a)	37	Reciprocating Internal Combustion Engine (RICE) NESHAP - requirements for existing engines at area sources of HAP emissions
U-00010/-/EDI/00033	40CFR 63-ZZZZ.6625 (e)	38	Reciprocating Internal Combustion Engine (RICE) NESHAP - maintenance of engine and control device
U-00010/-/EDI/00033	40CFR 63-ZZZZ.6625 (f)	39	Reciprocating Internal Combustion Engine (RICE) NESHAP - non-resettable hour meter for certain existing emergency engines
U-00010/-/EDI/00033	40CFR 63-ZZZZ.6655 (e)	40	Reciprocating Internal Combustion Engine (RICE) NESHAP - maintenance plan records that must be kept
U-00010/-/EDI/00033	40CFR 63-ZZZZ.6655 (f)	41	Reciprocating Internal Combustion Engine (RICE) NESHAP - Recordkeeping requirements
FACILITY	40CFR 68	18	Chemical accident prevention provisions
FACILITY	40CFR 82-F	19	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	54	Unavoidable noncompliance and violations

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FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-1.8	12	
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	20	Title V Permits and the Associated Permit Conditions
U-00011	6NYCRR 201-6	43	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201- 6.4 (c) (3) (ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	21	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f)	22	Operational Flexibility
FACILITY	6NYCRR 201-6.5 (a)	55	State Enforceable Requirements
FACILITY	6NYCRR 202-1.1	17	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	56	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	23	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2 (d)	24	Sulfur-in-Fuel Limitation - Distillate Oil
FACILITY	6NYCRR 227-1.3 (c)	25	Annual Tune-up Requirement
FACILITY	6NYCRR 227-1.4 (a)	26, 27	Opacity Standard
FACILITY	6NYCRR 227-2.4 (d)	28	Small boilers, small combustion turbines, and small stationary

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U-00011	6NYCRR 227-2.5 (c)	44	internal combustion engines.
U-00010/-/EDI/00033 FACILITY	6NYCRR 231-2.7 6NYCRR 231-6.2	36 29	Alternative RACT option. Netting Netting
U-00011	6NYCRR 231-6.2	45	Netting
U-00012	6NYCRR 231-6.2	48	Netting

**Applicability Discussion:**

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units



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subject to 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.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (4)

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This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENDar year.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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.

40 CFR Part 68

This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act AmENDments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

**Facility Specific Requirements**

In addition to Title V, BERGEN POINT WWTP has been determined to be subject to the following regulations:

40 CFR 60.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the

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"Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.4205 (b)

This requirement applies to owners and operators of 2007 model year and later emergency stationary CI IC engines with a displacement less than 30 liters/cylinder that are not fire pump engines. An applicable source must comply with the emission standards for new nonroad CI engines for all pollutants (HC, PM, NO<sub>x</sub>, NMHC + NO<sub>x</sub> and CO) for the same model year and maximum engine power as per 40 CFR 60.4202.

40 CFR 60.4206

This requirement mandates that owners or operators of stationary compression ignition IC engines that achieve the emission standards as required in 40 CFR 60.4204 and 4205 maintain the engines according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.

40 CFR 60.4209 (a)

The owner and/or operator of an emergency stationary compression ignition internal combustion engine subject to this subpart is required to install a non-resettable hour meter.

40 CFR 60.4211 (a)

This regulation states that the owner or operator and must comply with the emission standards specified in 40 CFR 60 Subpart IIII and must operate and maintain the stationary compression ignition internal combustion engine and control device according to the manufacturer's written instructions.

40 CFR 60.4211 (c)

This citation states the requirements for 2007 model year and later compression ignition engines and for fire pump engines with model years listed in Table 3 to Subpart IIII.

40 CFR 60.4214 (b)

Initial notification, reporting, and recordkeeping requirements for owners or operators of a stationary CI internal combustion engine.

40 CFR 60.4233 (e)

This regulation sets the emission limit for internal combustion engines greater than 100 horsepower.

40 CFR 60.4234

This regulation requires the owners and operators of stationary spark ignited internal

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combustion engine (SI ICE) to operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

40 CFR 60.4243 (b) (1)

This condition states how to demonstrate compliance by purchasing a certified engine.

40 CFR 60.4245 (a)

This regulation sets forth the notification, reporting and recordkeeping requirements for 40 CFR 60 Subpart JJJJ, for owners and operators of stationary spark ignited internal combustion engines.

40 CFR 60.4333

This condition states that turbines and accompanying equipment must be operated and maintained with good practice.

40 CFR 60.4390

This requirement is to report the emergency use exemption from NSPS 4K NO<sub>x</sub> requirements to the Administrator.

40 CFR 63.6603 (a)

These conditions list the emission limits, operating limits, and work practices that existing engines located at an area source of HAP emissions must meet.

The engines must meet work practices, emission limits, and operating limits on carbon monoxide or formaldehyde for the specific type of engine listed in table 2d of subpart ZZZZ.

40 CFR 63.6625 (e)

This regulation requires the owners or operator of an existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions, an existing stationary emergency RICE, or an existing stationary RICE located at an area source of HAP emissions must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop 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.

40 CFR 63.6625 (f)

This condition reduces the emission of hazardous air pollutants by requiring existing emergency engines greater than or equal to 500 brake horsepower located at a major source of HAP emissions and existing emergency engines located at an area source of HAP emissions to install a non-resettable hour meter.

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40 CFR 63.6655 (e)

This regulation sets forth the record keeping requirements for RICE subject to facility specific maintenance plans.

40 CFR 63.6655 (f)

This regulation requires the owner/operator of a reciprocating internal combustion engine to record the number of hours the engine has been used, in both emergency and non-emergency use.

6 NYCRR 201-6.4 (f)

This section describes the potential for certain operational changes to be made by the facility owner or operator without first obtaining a permit modification. Changes made pursuant to this provision must meet all of the criteria described in this section to qualify for consideration as operational flexibility. The Department reserves the right to require the facility owner or operator to obtain a permit modification prior to making any changes at the facility pursuant to this section.

6 NYCRR 201-6.5 (a)

This subdivision states that the Department shall include state enforceable conditions in Title V permits. State enforceable conditions related to regulations developed pursuant to the Climate Leadership and Community Protection Act (CLCPA) and Article 75 of New York State Environmental Conservation Law may be included in future versions of this permit, as applicable.

6 NYCRR 211.1

This regulation requires that 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.

6 NYCRR 225-1.2 (d)

This subdivision sets the sulfur-in-fuel limitation for distillate oil fired emission sources throughout the State.

6 NYCRR 227-1.3 (c)

This subdivision requires that all stationary combustion installations subject to this subpart perform an annual tune-up.

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6 NYCRR 227-1.4 (a)

This subdivisions sets the opacity standard for subject stationary combustion installations.

6 NYCRR 227-2.4 (d)

This section includes NO<sub>x</sub> RACT requirements for small boilers, small combustion turbines, and small stationary internal combustion engines.

6 NYCRR 227-2.5 (c)

This provision allows the owner or operator to demonstrate that the applicable presumptive RACT emission limit in section 227-2.4 of this Subpart is not economically or technically feasible. Based on this determination the Department is allowed to set a higher emission source specific emission limit.

6 NYCRR 231-2.7

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

Pursuant to section 231-2.7, existing major facilities may avoid the requirements of Subpart 231-2 by conducting a netting analysis. This is done by utilizing the following equation:

$$NEI = PEP + CEI - ERCs$$

where:

NEI = net emission increase

PEP = project emission potential for the proposed source project

CEI = creditable emission increases

ERCs = emission reduction credits

All of the creditable emission increases and emission reduction credits must have occurred at the facility

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for which the netting analysis is being conducted and must have occurred during the contemporaneous period for the proposed project. If the net emission increase is less than the threshold values incorporated into sections 231-2.12 and 231-2.13, then the the proposed source project is not subject to the requirements of Subpart 231-2.

6 NYCRR 231-6.2

This section establishes the requirements for performing a netting analyses.

**Compliance Certification**

**Summary of monitoring activities at BERGEN POINT WWTP:**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Cond No.</b>	<b>Type of Monitoring</b>
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FACILITY	31	record keeping/maintenance procedures
U-00010/-/EDI/00036	42	record keeping/maintenance procedures
FACILITY	33	record keeping/maintenance procedures
FACILITY	34	record keeping/maintenance procedures
FACILITY	35	record keeping/maintenance procedures
U-00012	49	record keeping/maintenance procedures
U-00012	52	record keeping/maintenance procedures
U-00011	46	record keeping/maintenance procedures
U-00011	47	record keeping/maintenance procedures
U-00010/-/EDI/00033	37	record keeping/maintenance procedures
U-00010/-/EDI/00033	38	record keeping/maintenance procedures
U-00010/-/EDI/00033	39	record keeping/maintenance procedures
U-00010/-/EDI/00033	40	record keeping/maintenance procedures
U-00010/-/EDI/00033	41	record keeping/maintenance procedures
U-00011	43	work practice involving specific operations
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	24	work practice involving specific operations
FACILITY	25	record keeping/maintenance procedures
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	27	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures
U-00011	44	intermittent emission testing
U-00010/-/EDI/00033	36	monitoring of process or control device parameters as surrogate
FACILITY	29	monitoring of process or control device parameters as surrogate
U-00011	45	monitoring of process or control device parameters as surrogate
U-00012	48	monitoring of process or control device parameters as surrogate

**Basis for Monitoring**

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Condition 6: 6 NYCRR 201-6.4(e). This condition requires that the facility submits compliance certifications annually, on a calendar year basis.

Condition 7: 6 NYCRR 202-2.1. This condition requires the facility to submit emission statements on or before April 15th each year for emissions of the previous calendar year.

Condition 24: 6 NYCRR 225-1.2(d). This condition limits the sulfur content on distillate oil. The sulfur content is limited to 0.0015 percent by weight. Compliance with this limit will be based on vendor certifications. Reporting is due semiannually.

Condition 25: 6 NYCRR 227-1.3(c). This condition requires that permitted stationary combustion installations are tuned up annually.

Condition 26: 6 NYCRR 227-1.4(a). This monitoring condition limits the opacity of permitted stationary combustion installations to less than 20 percent for a six-minute average. Method 9 tests must be conducted and reported annually.

Condition 27: 6 NYCRR 227-1.4(a). The facility is required to check daily for visible emissions from the emergency generator engines and the standby turbines while these sources operate. Reporting is due semiannually.

Condition 28: 6 NYCRR 227-2.4(d). This condition requires that the owners or operators of a small boiler, as defined by Part 227, conduct an annual tune up on their equipment.

Condition 29: 6 NYCRR 231-6.2. This condition limits the NO<sub>x</sub> emissions from three emergency generators to 12.17 tons per year (combined) as per the procedures for avoiding an NSR major modification. Compliance will be determined with emission calculations. Reporting is due semiannually.

Conditions 31-36, 42: 40 CFR 60 NSPS Subpart IIII. These conditions are generally record-keeping and maintenance requirements for the facility's EPA-certified emergency compression ignition engines. Reporting is on request from regulatory agency or semiannually as required.

Condition 36: NYCRR 231-2.7. This condition limits the NO<sub>x</sub> emissions from the P&S emergency generator to 6.83 tons per year as per the mechanism for avoiding an NSR major modification for an emission unit subject to the regulation on or after November 15, 1992 and Prior to February 19, 2009 . Compliance will be determined with emission calculations. Reporting is due semiannually.

Conditions 37-41: 40 CFR 63 NESHAP Subpart ZZZZ. These conditions are record-keeping and maintenance requirements for the facility's emergency engine that predates NSPS IIII . Reporting is on request from regulatory agency or semiannually as required.



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Condition 43: 6 NYCRR 201-6. This is an operating limit on each standby turbine of 500 hours per year. Reporting is due semiannually.

Condition 44: 6 NYCRR 227-2.5 (c) This condition limits the concentration of NO<sub>x</sub> in the exhaust gas of the turbines to 177 ppmvd @ 15% O<sub>2</sub>. Compliance will be determined by stack testing.

Condition 45: 6 NYCRR 231-6.2. This condition limits the NO<sub>x</sub> emissions from the two standby turbines to 16.65 tons per year (combined) as per the procedures for avoiding an NSR major modification. Compliance will be determined with emission calculations. Reporting is due semiannually.

Conditions 46 and 47: 40 CFR 60 NSPS Subpart KKKK The facility's emergency turbines are only subject to parts of subpart KKKK. Initial report stating emergency use is required. Good air pollution control practice is required.

Condition 48: 6 NYCRR 231-6.2. This condition limits the NO<sub>x</sub> emissions from the cogeneration units to 4.16 tons per year (combined) as per the procedures for avoiding an NSR major modification. Compliance will be determined with emission calculations. Reporting is due semiannually.

Conditions 49-52: 40 CFR 60 NSPS Subpart JJJJ. These conditions are record-keeping and maintenance requirements for the facility's EPA-certified spark ignition cogen engines. Reporting is on request from regulatory agency or semiannually as required.

Note: The netting conditions represent projects from multiple contemporaneous periods. At no point was there a net emissions increase of NO<sub>x</sub> equal to or greater than the significant net emission increase threshold of 25 tons per year.