

**Division of Air Resources  
Permit Review Report**

**Permit ID: 2-6105-00263/00008**

**Renewal Number: 4**

**05/18/2022**

**Facility Identification Data**

Name: STARRETT CITY POWER PLANT

Address: 165 ELMIRA LOOP

BROOKLYN, NY 11239

**Owner/Firm**

Name: BSC OWNER LLC

Address: 1201 BROADWAY STE 401

NEW YORK, NY 10001, USA

Owner Classification: Corporation/Partnership

**Permit Contacts**

Division of Environmental Permits:

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LONG ISLAND CITY, NY 11101

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Division of Air Resources:

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Air Permitting Contact:

Name: BILL FOLEY

Address: STARRETT CITY POWER PLANT

165 ELMIRA LOOP

BROOKLYN, NY 11239

Phone:9178437967

**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**

This permit renewal application is for the following purposes:

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1. The continued operation of the four large boilers.
2. The operation of recently installed two (2) new Caterpillar CAT 175-20 model engines, each rated at 4 MW [5364 bhp-hr mechanical output]: These engines will only be used for emergency purposes as defined in 6 NYCRR Part 200.1(cq). These are compression ignition engines equipped with SCR systems which includes a Diesel Particulate Filter (DPF), an Oxidation Catalyst for CO and NMHC emission reduction and a SCR catalyst for NO<sub>x</sub> emission reduction. The manufacturer guaranteed NO<sub>x</sub> emission rate is 0.5 grams per bhp-hr. These engines are identified as DG004 and DG005 as a part of the emission unit U-00002. Emissions vent via each individual stack. These engines are subject to the requirements of 40 CFR Part 60 Subpart IIII, §60.4211(f), and the Certificate of Conformity for the Caterpillar is attached to this application (Certificate No. JCPXL106.NZS-003).
3. The operation of forty-six (46) small condensing boilers: The facility is in the process of installing 46 new natural gas fired condensing boilers, each less than 10 MMBtu/hr. These boilers are being installed in eight (8) different garages [Garage A-H]. They are of the AERCO BMK model with four (4) different capacities [BMK 2500 - 2.5 MMBtu/hr., BMK 3000 - 3.0 MMBtu/hr., BMK 5000 - 5.0 MMBtu/hr., and BMK 6000 - 6.0 MMBtu/hr]. The manufacturer guaranteed NO<sub>x</sub> emission rate is 10 ppm.
4. The reclassification and decommissioning of Nordberg engines: With this permit renewal, the two (2) existing Nordberg Engines will only be used for emergency situations and the third Nordberg engine is out of service and its decommissioning is in progress. This application includes an application for the emission reduction credits (ERCS) for 2.314 tpy of NO<sub>x</sub> and 0.208 tpy of VOC from the decommissioned engine.
5. The removal of a fuel storage tank: The facility no longer uses the 400,000 gallon #6 fuel oil tank and plans to decommission it.

The application includes a 6 NYCRR Part 231 analysis for the new emission sources (46 small condensing boilers and two Caterpillar engines). Based on the Part 231 analysis, the net emission increases of NO<sub>x</sub> from the new sources will not exceed 25 tons, thus not triggering Prevention of Significant Deterioration (PSD) thresholds or New Source Review (NSR) requirements.

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**Attainment Status**

STARRETT CITY POWER PLANT is located in the town of BROOKLYN in the county of KINGS. 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.)

Criteria Pollutant	Attainment Status
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:**

Starrett City (a.k.a., Spring Creek Towers) is a Housing Development in Brooklyn, New York that produces all of its own electricity, heating and cooling through their power plant.

The facility has four identical Combustion Engineering boilers (140 MMBtu/hr each)], which are capable of firing natural gas and distillate oil and, three identical Nordberg large bore compression ignition engines (2MW) that only operate on #2 oil. The Facility has stopped using one (1) of the three (3) old Nordberg generators and decommissioning is in progress. The two (2) existing Nordberg engines will be used in emergency situations only and will be considered as exempt sources.

Steam from the boilers is fed to two (2) steam turbines to generate 6 MW each. Only three (3) boilers will be operated at any given point of time. The plant has a total electric generating capacity of 12 MW.

The facility is currently operating on a firm gas contract with respect to fuel firing of its four boilers.

In addition, the facility has installed two(2) identical 4 MW Caterpillar diesel engines for emergency operations only and forty six (46) exempt condensing boilers each rated less than 10 MMBtu/hr. These boilers are installed with different combinations at eight (8) garages [Garages A-F].

**Permit Structure and Description of Operations**

The Title V permit for STARRETT CITY POWER PLANT 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

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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.

STARRETT CITY POWER PLANT is defined by the following emission unit(s):

Emission unit U00003 - This emission unit consists of two (2) Caterpillar CAT 175-20 diesel engine generators (emission sources DG004 & DG005) classified as "emergency generators" and will be used for emergencies only.

Each Caterpillar CAT 175-20 diesel generator is rated at 4 MW [5364 bhp-hr mechanical output] with a Miratech Diesel Particulate filter, oxidation catalyst [OC] and a SCR control systems for NOx emission reduction utilizing a 32.5% urea solution. The PM-OC-SCR control systems for both the engines are designated as SCR04 & SCR05. The reaction tank for each system has a 1900 gallon capacity for urea solution storage. Each emission source has its own stack/emission point.

These two (2) new diesel generators will be in enclosures located immediately west of Van Sieten Avenue. The enclosures are designated Buildings 2A for DG002, the northern most generator, and 2B for DG005, the southernmost generator. SCR04 & SCR05 are located above their respective enclosures.

The two emergency generators 0DG04 and 0DG05 are subject to 40 CFR Part 60 Subpart IIII. Application includes certificate of conformity (certificate No. JCPXL106.NZS-003).

Emission unit U00003 is associated with the following emission points (EP):  
DG001, DG005

Process: 802 is located at Building 2A - Two caterpillar emergency generators firing diesel.

Emission unit U00004 - This emission unit consists of forty-six (46) small AERCO condensing boilers (CB) with capacities less than 10 MMBtu/hr each. These boilers are installed in eight (8) different locations (Garages A-H). NOx emissions from each boiler is limited to 10 PPM as per manufacturer's guarantee. All these boilers fire natural gas only and with no back-up/secondary fuel option and each boiler has its own individual stack. Therefore, this emission unit has forty-six (46) emission points.

The details of boiler placements are as below,  
AERCO BMK 6000 (4), BMK 3000 (2) - Garage A

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AERCO BMK 5000 (2), BMK 2500 (2) - Garage B  
AERCO BMK 6000 (6), BMK 3000 (2) - Garage C  
AERCO BMK 5000 (2), BMK 2500 (2) - Garage D  
AERCO BMK 6000 (4), BMK 3000 (2) - Garage E  
AERCO BMK 5000 (3), BMK 2500 (2) - Garage F  
AERCO BMK 6000 (6), BMK 3000 (2) - Garage G  
AERCO BMK 6000 (3), BMK 3000 (2) - Garage H  
Total 218 mmbtu/hr

Manufacturer's guaranteed NOX emission rate for Boilers BMK 3000 and BMK 2500 is <13 ppm and for all others 10 PPM.

Process: BNG 46 boilers(less than 10 mmbtu/hr) firing natural gas.

Emission unit 000001 - This unit consist of four (4) identical Combustion Engineering type 28-VP-12Ww boilers (each with maximum heat input capacity 140 mmbtu/hr) that are capable of firing either natural gas as a primary fuel or #2 fuel oil as backup fuel. Steam from the boilers is fed to two (2) steam turbines to generate 6 MW each.

These boilers were upgraded with new Zecco GB low NOx burners (LNB) as per the NOx RACT compliance Plan. Emissions vent via its own individual stacks, 000B1, 000B2, 000B3 and 000B4.

Only three (3) boilers will be fired at any given point of time. The NOx emission for the boilers is limited to 0.1 lb/mmbtu either firing natural gas or oil.

Emission unit 000001 is associated with the following emission points (EP):  
000B1, 000B2, 000B3, 000B4

Process: 009 is located at POWER PLANT, Building 1 - Boilers 00B1, 00B2, 00B3 & 00B4 burning #2 fuel oil to generate steam and electricity for the apartment building.

Process: 101 is located at POWER PLANT, Building 1 - This process is when one(1) or any three (out of 4) boilers firing natural gas.

Emission unit 000002 - Two (2) existing Nordberg engines listed in this emission unit will be used for emergency purposes only.

These two (2) existing identical Nordberg large bore compression ignition engines are capable of firing low sulfur #2 fuel oil. These engines are equipped with Johnson Mathhey carbon monoxide (CO) catalyst system to reduce CO emissions from compliance with EPA's 40 CFR 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The installed CO catalyst system on each engine guarantee CO emission below 23ppm or a 70% reduction. The catalyst system is complete with a continuous parametric monitoring system(CPMS). One (engine #2) of the three (3) engines was shut down and is being decommissioned.

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Process: 502 is located at POWER PLANT, Building 1 - Two Nordberg emergency generators burning #2 fuel oil.

**Title V/Major Source Status**

STARRETT CITY POWER PLANT is subject to Title V requirements. This determination is based on the following information:

Starrett City Power Plant is a major facility since the potential emissions of nitrogen oxides is greater than the major source threshold 25 tons per year.

**Program Applicability**

The following chart summarizes the applicability of STARRETT CITY POWER PLANT 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 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.

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**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.

**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

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distributed, or services rendered. Larger facilities typically have more than one SIC code.

<b>SIC Code</b>	<b>Description</b>
6513	APARTMENT BUILDING OPERATORS
6514	DWELLING OPERATORS, EXC. APART

**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.

<b>SCC Code</b>	<b>Description</b>
1-01-005-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-01-006-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - NATURAL GAS Boilers > 100 MBtu/Hr except Tangential
1-03-006-03	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - NATURAL GAS Less Than 10 MMBtu/Hr
2-01-001-02	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL) Reciprocating

**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 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.



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Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS		2266481		260070
000630-08-0	CARBON MONOXIDE	481540		282980	
007439-92-1	LEAD	42.4		8.011	
0NY210-00-0	OXIDES OF NITROGEN	425920		234117	
0NY075-00-0	PARTICULATES		13.82	11.39	
0NY075-02-5	PM 2.5	22840		13863	
0NY075-00-5	PM-10	22840		13863	
007446-09-5	SULFUR DIOXIDE	3280		1862	
0NY100-00-0	TOTAL HAP	2665		637	
0NY998-00-0	VOC	33000		19308	

**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.
  
- 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

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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 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

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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 2 01-6.7 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**

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**

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

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

- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
- (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item\_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>
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FACILITY	ECL 19-0301	48	Powers and Duties of the Department with respect to air
FACILITY	40CFR 60-IIII	42	pollution control Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
FACILITY	40CFR 63-JJJJJJ	43	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources
FACILITY	40CFR 63-ZZZZ	44	Reciprocating Internal Combustion Engine (RICE) NESHP
FACILITY	40CFR 68	20	Chemical accident prevention provisions
FACILITY	40CFR 82-F	21	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1, 2	Acceptable ambient air quality.
0-00001	6NYCRR 200.6	47	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	11	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	49	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	12	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	13	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2(a)	14	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.2(c)	22	Exempt Activities - exempt activity list
FACILITY	6NYCRR 201-3.3(a)	15	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	23, 24, 45, 46	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(4)	16	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(7)	3	General Conditions - Fees
FACILITY	6NYCRR 201-6.4(a)(8)	17, 18	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4(c)	4	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4(c)(2)	5	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-	6	Reporting

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	6.4 (c) (3) (ii)			Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	25		Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	7		Compliance Certification
FACILITY	6NYCRR 201-6.4 (f)	26		Operational Flexibility
FACILITY	6NYCRR 202-1.1	19		Required emissions tests.
FACILITY	6NYCRR 202-1.2	27		Notification.
FACILITY	6NYCRR 202-1.3 (a)	28		Acceptable procedures - reference methods
FACILITY	6NYCRR 202-2.1	8		Emission Statements - Applicability
FACILITY	6NYCRR 202-2.4 (a) (3)	29		Emission statement methods and procedures
FACILITY	6NYCRR 202-2.5	9		Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	50		General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	30		General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 215.2	10		Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2 (d)	31		Sulfur-in-Fuel Limitation - Distillate Oil
FACILITY	6NYCRR 225-1.5 (c)	32		Fuel Monitoring
FACILITY	6NYCRR 225-1.6 (f)	33		Excess Emission Reports
FACILITY	6NYCRR 227-1.3 (a)	34		Particulate Emission Standards
FACILITY	6NYCRR 227-1.3 (c)	35		Annual Tune-up Requirement
FACILITY	6NYCRR 227-1.4 (a)	36, 37		Opacity Standard
FACILITY	6NYCRR 227-2	38		Reasonably available control technology for NOx
FACILITY	6NYCRR 227-2.4 (d)	39		Small boilers, small combustion turbines, and small stationary internal combustion engines.
FACILITY	6NYCRR 231-6.2	40, 41		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

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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 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.

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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)

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



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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 their 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, STARRETT CITY POWER PLANT has been determined to be subject to the following regulations:

40 CFR Part 60, Subpart IIII

Subpart IIII applies to new and reconstructed compression ignition reciprocating internal combustion engines. Sources subject to Subpart IIII must comply with emission standards for hydrocarbons, nitrogen oxides, carbon monoxide, and particulate matter.

40 CFR Part 63, Subpart JJJJJ

This regulation covers facilities that own or operate an industrial, commercial, or institutional boiler as defined in §63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in §63.2, except as specified in §63.11195.

40 CFR Part 63, Subpart ZZZZ

Subpart ZZZZ applies to reciprocating internal combustion engines. Sources subject to Subpart ZZZZ must limit emissions of carbon monoxide and formaldehyde. Sources must also comply with work practice standards and operating limits.

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6 NYCRR 201-3.2 (c)

This section lists the specific activities which may be exempt from the permitting provisions of this Part.

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 202-1.2

This regulation specifies that the department is to be notified at least 30 days in advance of any required stack test. The notification is to include a list of the procedures to be used that are acceptable to the department. Finally, free access to observe the stack test is to be provided to the department's representative.

6 NYCRR 202-1.3 (a)

This regulation requires that any emission testing, sampling and analytical determination used to determine compliance must use methods acceptable to the department. Acceptable test methods may include but are not limited to the reference methods found in 40 CFR Part 60 appendix A and Part 61, appendix B. In addition, unless otherwise specified, all emission test reports must be submitted within 60 days after completion of testing.

6 NYCRR 202-2.4 (a) (3)

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 225-1.5 (c)

This subdivision requires specific measurements of the fuel fired at a facility that employs a CEM.

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6 NYCRR 225-1.6 (f)

This subdivision requires the submission of excess emission reports when the sulfur-in-fuel limitation, equivalent emission rate, or measured emissions exceeds the allowable standard.

6 NYCRR 227-1.3 (a)

This subdivision sets the particulate matter emission standards for subject stationary combustion installations.

6 NYCRR 227-1.3 (c)

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

6 NYCRR 227-1.4 (a)

This subdivision 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 231-6.2

This section establishes the requirements for performing a netting analyses.

6 NYCRR Subpart 227-2

This regulation limits the emission of oxides of nitrogen (NO<sub>x</sub>) from stationary combustion installations (boilers, combustion turbines and internal combustion engines).

**Compliance Certification**

**Summary of monitoring activities at STARRETT CITY POWER PLANT:**

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<b>Location Facility/EU/EP/Process/ES</b>	<b>Cond No.</b>	<b>Type of Monitoring</b>
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0-00001	47	record keeping/maintenance procedures
FACILITY	22	monitoring of process or control device parameters as surrogate
FACILITY	24	monitoring of process or control device parameters as surrogate
FACILITY	6	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	8	record keeping/maintenance procedures
FACILITY	31	work practice involving specific operations
FACILITY	32	record keeping/maintenance procedures
FACILITY	33	record keeping/maintenance procedures
FACILITY	34	intermittent emission testing
FACILITY	35	record keeping/maintenance procedures
FACILITY	36	monitoring of process or control device parameters as surrogate
FACILITY	37	record keeping/maintenance procedures
FACILITY	38	intermittent emission testing
FACILITY	39	record keeping/maintenance procedures
FACILITY	40	intermittent emission testing
FACILITY	41	monitoring of process or control device parameters as surrogate
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**Basis for Monitoring**

NYCRR Part 200.6: The monitoring condition under this regulation is applicable to the four Large Combustion engineering boilers in the emission unit 0-00001. Starrett City Power Plant, in their May 2021 modeling report, demonstrated compliance with 1-hr NO<sub>2</sub> National Ambient Air Quality Standard (NAAQS) by limiting the operation of number of boilers to three at any given time, and by using boiler NO<sub>x</sub> emission rate as 0.1lb/mmbtu (see condition for Part 227-2.5 (c)).

6NYCRR Part 225-1.2(d): The sulfur content of distillate oil used at the facility is limited to 0.0015% by weight. Vendor certification is required by this permit for each fuel oil delivery.

6NYCRR Part 227-1.3(a): Starrett City's large boilers are required to demonstrate compliance with the particulate emission limit of 0.1lb/mmbtu once during the permit term using Department approved stack test protocols. Annual tune-ups are also required for these boilers to ensure compliance.

6NYCRR Part 227-1.4(a): This condition sets forth the opacity limits for large boilers and requires daily opacity observation during oil firing and annual Method 9 opacity monitoring during gas firing.

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6 NYCRR Part 227-2: This condition limits Starrett city's four Large Boilers firing natural gas or #2 oil to 0.1 lb/mmbtu. Thus, these boilers are also in compliance with Part 227-2.4 (b)(1) presumptive NO<sub>x</sub> RACT limit 0.15lbs/mmbtu. The facility proposed this stringent NO<sub>x</sub> limit so that they are in compliance with 1-hr NO<sub>2</sub> National Ambient Air Quality Standard (NAAQS). Starrett City is required to demonstrate compliance with the boiler NO<sub>x</sub> emission limit once every five years using Department approved stack test protocols.

6 NYCRR Part 231-6.2: These two monitoring conditions are applicable to Starrett City's two new emergency generators of capacity 4MW each and 46 new condensing boilers each with capacities of less than 10mmbtu/hr. One condition limits the total 12-month total NO<sub>x</sub> emissions from these sources to 14.75 tpy, and the facility is required to calculate emissions using fuel usage, the most recent stack tests and approved emission factors to ensure that the net emissions from these new combustion sources are less than the significant net emission threshold 25 tpy ( for NO<sub>x</sub>) for a major New Source Review modification. Another condition requires the facility to perform engine stack test every five years to verify the NO<sub>x</sub> emission factor used to calculate yearly NO<sub>x</sub> emissions.

6 NYCRR Part 201-6: The Facility Specific monitoring condition is applicable to Starrett City's two new (4MW each) emergency generators and 46 new condensing boilers (each less than 10mmbtu/hr). This condition limits the total 12-month VOC emissions from these sources to 5.94 tpy and requires the facility to calculate the total VOC emissions using fuel usage and AP-42 emission factors for boilers and EPA engine certification database or stack test verified emission factors for Caterpillar engines. This is a minor facility for VOC (facility's total potential to emit VOC is less than the 25 tons per year).

6 NYCRR Part 201-3.2 (c): The operation 4 emergency generators (two new caterpillar engines and two Nordberg engines) are limited to 500 hrs. per year. The condition limits the operation of these engines to emergency purposes – that is, when the usual supply of power is unavailable. The 500 hours of annual operation include emergency situations, routine maintenance, and routine exercising (for example, test firing the engine for one hour a week to ensure reliability). The facility is required to install a non-resettable timer for each engine and to record each emergency operation.

40 CFR Part 60 Subpart III: The two Caterpillar emergency engines are subject to this regulation. The facility has submitted a US EPA issued Certificate of Conformity (Certificate No:JCPXL106.NZS-003)

40 CFR Part 63 Subpart JJJJJ: The four Large boilers capable of burning natural gas and oil are subject to the requirements of this regulation.

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40 CFR Part 63 Subpart ZZZZ: The three existing Nordberg engines are subject to this regulation. Each engine is equipped with an oxidation catalyst for compliance with this Subpart. The new two Caterpillar engines are applicable to the requirements of 40 CFR 60 Subpart IIII and thus satisfies the requirements of Subpart ZZZZ as per 40 CFR 63.6590(c)(1).

To address the requirements of Section 7(2) of the Climate Leadership and Community Protection Act (CLCPA), Starrett City has submitted information describing the facility's greenhouse gas (GHG) emissions as a part of this permit application. This analysis has identified the GHG sources at the facility, including upstream out of state GHG emissions associated with the fossil fuels combusted at the site and the generation of electricity imported into NY state. Starrett City also has calculated co-pollutant emissions from its GHG sources as required by section 7(3) of CLCPA. This analysis has demonstrated that adding the new sources as part of this project (46 highly efficient condensing boilers and two emergency generators equipped with a selective catalyst reduction (SCR) system, diesel particulate filter, and oxidation catalyst) will result in reduced GHG and co-pollutant emissions. The analysis also has a discussion of the facility's intentions and plans to reduce future GHG emissions using non-fossil energy production technologies and their plan to potentially connect to Con Edison utility grid in the future.