



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 2-6101-00187/00013  
Effective Date: 01/11/2008 Expiration Date: 01/10/2013

Permit Issued To: CONSOLIDATED EDISON COMPANY OF NEW YORK INC  
4 IRVING PL RM 828  
NEW YORK, NY 10003-3502

Facility: CON ED-N 1ST ST FUEL OIL TERMINAL  
214 KENT AVE  
BROOKLYN, NY 11222

Contact: ANTHONY GUASTAFESTE  
CONSOLIDATED EDISON CO OF NEW YORK INC  
4 IRVING PL - RM 819  
NEW YORK, NY 10003  
(212) 466-4858

Description:

**PERMIT DESCRIPTION**  
**Con Ed-N 1ST Fuel Oil Terminal**  
**DEC ID # 2-6101-00187/00013 (Ren 1)**

Con Ed Fuel Oil Terminal is located at N 1st Street in Brooklyn, New York, is a residual fuel oil terminal that provides steam which is used to keep the residual oil warm for Con Edison's Power Generating Stations. The steam is provided using three small boilers, Boilers 1, 2 & 3 (Emission Sources 00001, 00002 & 00003, respectively) in Emission Unit N-F0004, burning residual fuel oil (Process ROL) and discharging through three separate individual stacks (Emission Points 00001, 00002 & 00003, respectively). This fuel oil terminal is not currently operating. However; Con Ed would like to maintain this facility as a Title V major facility. The Industrial Classification Code (SIC) for this facility is 5983 - Fuel Oil Dealers. This facility provides oil to only other Con Edison's Power Generating Stations.

This is a renewal of the Title V Permit for the existing Title V general permit in compliance with 6 NYCRR 201 - Permits and Regulations, that was issued on 7/9/2002 and expires on 6/4/2007. The facility has made no changes of its operation or emission sources during this permit period. However, this renewal is not a Title V General Permit due to the addition of the Opacity Consent Order condition for 6 NYCRR 227-1.3 (Condition # 31), which has to be included in all of Con Edisons permits. This renewal involves the operation of three small boilers, two 26.78 MM Btu/hr each existing Iron Fireman boilers (Boilers 1 & 2 - Emission Sources 00001 & 00002), and one 25.2 MM Btu/hr Cleaver Brooks boiler (Boiler 3 - Emission Source 00003). The total heat input capacity from all three boilers is 78.76 MM Btu/hr. All three boilers combust residual oil (Process ROL). The steam from the three boilers is used to keep the residual oil warm for Con Edison's Power Generating Stations. Emissions from each of the three boilers exhaust through its three separate individual stacks, identified as Emission Points 00001, 00002 &



00003 that correspond to Boilers 1, 2 & 3 (Emission Sources 00001, 00002 & 00003), respectively.

The facility operates other sources which are considered exempt from permitting in accordance with 6 NYCRR 201-3.2(c), including two emergency diesel generators (<500 hours per year each), and seven residual fuel oil storage tanks with storage capacities <300,000 bbls.

The Title V renewal permit contains a complete listing of the applicable federal, state and compliance monitoring requirements for the facility, its emission unit and emission points.

The facility's emissions exceed the major source pollutant thresholds listed in 6 NYCRR Subpart 201-6 for sulfur dioxide and oxides of nitrogen and, as such, the facility is subject to the provisions of Title V. Therefore, the facility is subject to the provisions of Title V for sulfur dioxide and is subject to 6 NYCRR 225-1, fuel composition, sampling, analysis and use - sulfur limitations, which restricts the sulfur content of fuel oil utilized throughout the facility to 0.30 % by weight or less. The three emission points (00001, 00002 & 00003) are subject to the Particulate emissions of 0.10 lbs/MM BTUs as per 6 NYCRR 227.2(b)(1), the smoke emission limitations of 20% opacity as per 6 NYCRR 227-1.3(a), and corrective action requirements of 6 NYCRR 227-1, stationary combustion installations.

The facility is also subject to 6 NYCRR 227-4(d), Reasonably Available Control technology (RACT) for oxides of nitrogen for small boilers by performing annual tune-ups to each of the three boilers and complying with the specified reporting and record keeping requirements.

The facility is subject to Condition # 31 for 6 NYCRR 227-1.3 for the smoke emission limitations of 20 % opacity: This is a facility-wide condition. This condition applies to all Con Edison facilities and it is in all of its Title V permits. This condition is as a result of the "Opacity Consent Order" for Con Edison's facilities. This condition requires Con Edison to comply with the following:

1. Opacity Incident Reporting:

Con Edison shall prepare opacity incident reports consistent with the requirements of this paragraph. The term "opacity incident" as used in this condition means smoke emissions which exhibit greater than 20% opacity (6-minute average) determined by a Method 9 analysis. Opacity incident report shall be maintained by Con Edison for a period of three years and shall be made available for inspection by the Department on demand. To provide a consistent and permanent record of all reportable opacity events, incident reporting will be initiated. The reports consist of documenting incident events by way of Incident Reports in Con Edison's Central information database system. Incident Reports identify personnel on duty, a brief summary of the incident and as necessary a sequence of events, a preliminary cause analysis and associated corrective action requirements. All opacity Incident Reports are available electronically to cognizant Con Edison departments and personnel for their information, review and use. Incident Reports form the basis for more detailed root cause analysis, corrective actions, design modifications and project/program development and implementation.

2. Opacity Reporting Compliance Audits:

Con Edison shall conduct quarterly opacity reporting compliance audits consistent with the requirements of this paragraph. Quarterly opacity reporting compliance audits shall be



performed to ensure compliance with applicable regulatory reporting requirements. Audits include a detailed review of the logbook containing visual observations and Method 9 analysis confirming that all indicated events were properly reported and documented.

3. Awareness, Communications and Training:

Con Edison shall comply with the opacity awareness, communications and training provisions of this paragraph. Several significant initiatives have been undertaken to ensure and reinforce personnel understanding of the regulatory and operation requirements associated with opacity. Awareness has been heightened by consistently and effectively communicating mandates throughout all levels of Con Edison's Steam Operations organization. At the local station level, opacity understanding and awareness shall be communicated on an ongoing basis from station management to supervisory and operating and maintenance personnel. Such communications shall be reinforced by operator interaction with personnel assigned as Opacity Auditors. Formal operator training is required of all personnel in order to receive their Air Pollution Control Certificates. A formal Air Pollution Control Refresher Course has been developed by the Company and shall be given to all control room operators. It shall provide training in opacity regulatory requirements and fundamentals of combustion.

4. Preventive Maintenance:

Con Edison shall conduct, on an ongoing basis, a preventive maintenance program as described in this paragraph.

The program encompasses fuel, air, burner, and instrument and control system components and includes items such as fan, dampers, burners, ignitors, regulators, and related components. It consists of three phases defined as follows:

Phase 1 - identify essential program elements including repetitive deficiencies;

Phase 2 - develop procedures for each identified element;

Phase 3 - consists of ongoing implementation of preventive maintenance.

The primary elements of Con Edison's preventive maintenance program that would be applicable to the boilers at this facility for opacity reduction would consist of regular inspection, calibration and/or servicing of the following equipment for each of the Terminal's package boilers:

- (a) Boiler control and instrumentation;
- (b) Fuel oil meters;
- (c) Fuel oil pumps and strainers;
- (d) Boiler fireside tubes (to minimize ash build-up);
- (e) Control-air air compressors;
- (f) Fuel-atomizing-air air compressors;
- (g) Fuel oil pressure regulators;
- (h) Atomizing air pressure regulators;
- (i) Fan dampers and actuators; and
- (j) Oil guns and tips



This program may be revised by adding appropriate new maintenance requirements and deleting ineffective or obsolete maintenance activities based on operating experience or changes in equipment operation. The Department shall be notified of all significant additions and deletions to the preventive maintenance program via Con Edison's quarterly report to the Department.

5. Root Cause Analysis and Corrective Actions:

Con Edison shall conduct root cause analyses as described in this paragraph and shall take all corrective actions that are deemed necessary to maintain full compliance with the State's opacity requirements. A comprehensive Root Cause Analysis program including deficiency categorization and correction of categorized deficiencies will be implemented. Incident categories include oil, air, atomizing steam, ignition, burner and combustion control system deficiencies. Analysis, categorization and corrective action development shall be performed by station personnel. Corrections due to equipment failure, malfunction and marginal design shall be accomplished by corrective maintenance and simple design basis enhancement activities. Correction of operation deviations include focused training, minimized soot blowing and increased boiler fireside washes.

6. Quarterly Reports:

Con Edison shall submit to the Department quarterly reports each May 15, August 15, November 15 and February 15 which describe activities and progress that Con Edison has made during the preceding quarter in carrying out the requirements of paragraphs 1 through 5 above in this condition.

Penalties will not be assessed for excess opacity emission events attributable solely to equipment malfunctions or boiler start-ups or shut-downs, (as those terms are defined in 40 CFR §60.2); provided that, Con Edison identifies those events in its quarterly excess emission reports, certifies that the events were not preventable and the Department does not dispute Con Edison's claim that such events were not preventable. When requested by the Department, Con Edison shall make available to the Department any incident reports and root cause analyses that it prepared for such events. Con Edison shall expressly identify in its quarterly excess emission reports instances of excess opacity attributable to sootblowing, operator error, or careless operation of properly functioning equipment.

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

Permit Administrator: JOHN F CRYAN  
DIVISION OF ENVIRONMENTAL PERMITS  
ONE HUNTERS POINT PLAZA, 47-40 21ST STREET  
LONG ISLAND CITY, NY 11101-5407

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



### Notification of Other State Permittee Obligations

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

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

**Facility Level**

Submission of application for permit modification or renewal-REGION 2  
HEADQUARTERS





**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

**Applicable State Requirement: ECL 3-0301.2(m)**

**Item 2.1:**

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

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

**Applicable State Requirement: 6NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**



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

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

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal-REGION 2 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.6(a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 2 Headquarters  
Division of Environmental Permits  
1 Hunters Point Plaza, 4740 21st Street  
Long Island City, NY 11101-5407  
(718) 482-4997

New York State Department of Environmental Conservation

Permit ID: 2-6101-00187/00013

Facility DEC ID: 2610100187



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

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

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4 IRVING PL RM 828  
NEW YORK, NY 10003-3502

Facility: CON ED-N 1ST ST FUEL OIL TERMINAL  
214 KENT AVE  
BROOKLYN, NY 11222

Authorized Activity By Standard Industrial Classification Code:  
5983 - FUEL OIL DEALERS

Permit Effective Date: 01/11/2008

Permit Expiration Date: 01/10/2013



## LIST OF CONDITIONS

### DEC GENERAL CONDITIONS

#### General Provisions

Facility Inspection by the Department  
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#### Facility Level

Submission of application for permit modification or renewal-REGION 2  
HEADQUARTERS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 202-1.2: Notification
- 25 6NYCRR 202-1.3: Acceptable procedures
- 26 6NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
- 27 6NYCRR 202-1.3: Alternate test methods
- 28 6NYCRR 225-1.2(a)(2): Compliance Certification
- 29 6NYCRR 225-1.5(a): Alternative sulfur dioxide standard.
- 30 6NYCRR 225-1.8: Compliance Certification
- 31 6NYCRR 227-1.3: Compliance Certification

#### Emission Unit Level

- 32 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 33 6NYCRR 201-6: Process Definition By Emission Unit



**EU=N-F0004**

- 34 6NYCRR 227-1.6(a): Corrective Action
- 35 6NYCRR 227-1.6(b): Corrective Action
- 36 6NYCRR 227-1.6(c): Corrective Action
- 37 6NYCRR 227-1.6(d): Corrective Action

**EU=N-F0004,Proc=ROL,ES=00001**

- 38 6NYCRR 227-2.4(d): Compliance Certification

**EU=N-F0004,Proc=ROL,ES=00002**

- 39 6NYCRR 227-2.4(d): Compliance Certification

**EU=N-F0004,Proc=ROL,ES=00003**

- 40 6NYCRR 227-2.4(d): Compliance Certification

**EU=N-F0004,EP=00001**

- 41 6NYCRR 227.2(b)(1): Compliance Certification

**EU=N-F0004,EP=00001,Proc=ROL**

- 42 6NYCRR 227-1.3: Compliance Certification
- 43 6NYCRR 227-1.3(a): Compliance Certification

**EU=N-F0004,EP=00002**

- 44 6NYCRR 227.2(b)(1): Compliance Certification

**EU=N-F0004,EP=00002,Proc=ROL**

- 45 6NYCRR 227-1.3: Compliance Certification
- 46 6NYCRR 227-1.3(a): Compliance Certification

**EU=N-F0004,EP=00003**

- 47 6NYCRR 227.2(b)(1): Compliance Certification

**EU=N-F0004,EP=00003,Proc=ROL**

- 48 6NYCRR 227-1.3: Compliance Certification
- 49 6NYCRR 227-1.3(a): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 50 ECL 19-0301: Contaminant List
- 51 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 52 6NYCRR 211.2: Air pollution prohibited



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.**

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

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

(1) An emergency occurred and that the facility owner and/or

operator can identify the cause(s) of the emergency;

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

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

(4) The facility owner and/or operator notified the Department

within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

**Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 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 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.



- Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(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 D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(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 E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(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 F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(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 G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(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 H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)**  
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR Part 201-6.5(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 J: Permit Shield - 6 NYCRR Part 201-6.5(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 K: Reopening for Cause - 6 NYCRR Part 201-6.5(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 L: Permit Exclusion - ECL 19-0305**

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



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

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

**SUBJECT** MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
**TIMES** TO ANNUAL CERTIFICATIONS AT ALL

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.

**Condition 1: Acceptable Ambient Air Quality**  
Effective between the dates of 01/11/2008 and 01/10/2013

**Applicable Federal Requirement:6NYCRR 200.6**

**Item 1.1:**

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

**Condition 2: Fees**  
Effective between the dates of 01/11/2008 and 01/10/2013

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(7)**

**Item 2.1:**

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.

**Condition 3: Recordkeeping and reporting of compliance monitoring**  
Effective between the dates of 01/11/2008 and 01/10/2013

**Applicable Federal Requirement:6NYCRR 201-6.5(c)**

**Item 3.1:**

The following information must be included in any required compliance monitoring records and reports:



- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii) The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.3 of this Part 201.

**Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.**

**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement: 6NYCRR 201-6.5(c)(2)**

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification**

**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement: 6NYCRR 201-6.5(c)(3)(ii)**

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to



the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

(1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for



deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

**Condition 6: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**



**Applicable Federal Requirement:6NYCRR 201-6.5(e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional





**Applicable Federal Requirement:6NYCRR 202-2.5**

**Item 8.1:**

(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites  
Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 215**

**Item 9.1:**

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS**

**SUBJECT**

**TO ANNUAL CERTIFICATIONS ONLY IF**

**APPLICABLE**

**Title V**  
**if**  
**reporting**

**The following federally enforceable permit conditions are mandatory for all permits and are subject to annual compliance certification requirements only effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the period shall be specified as "not applicable".]**

**Condition 10: Maintenance of Equipment  
Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 200.7**

**Item 10.1:**

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



**Condition 11: Recycling and Salvage**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 11.1:**

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

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 12.1:**

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

**Condition 13: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 13.1:**

The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 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.

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 14.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 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.

**Condition 15: Standard Requirement - Provide Information**



**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(4)**

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: General Condition - Right to Inspect**

**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(8)**

**Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Standard Requirements - Progress Reports**

**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 201-6.5(d)(5)**

**Item 17.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.





**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:40CFR 68**

**Item 21.1:**

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

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

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

**Condition 22: Recycling and Emissions Reduction**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 22.1:**

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

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 23: Emission Unit Definition**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 23.1:**

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

Emission Unit: N-F0004

Emission Unit Description:

Emission Unit N-F004 consists of three small boilers,



Boilers 1, 2 and 3 (Emission Sources 00001, 00002 and 00003, respectively). One boiler is rated at 25.2 MM Btu/hr (Emission Source 00003) and the other two boilers (Emission Sources 00001 and 00002) are rated at 26.78 MM Btu/hr each. The total heat input capacity from all three boilers is 78.76 MM Btu/hr. All three boilers combust residual oil (Process ROL). The steam from the three boilers is used to keep the residual oil warm for Con Edison's power generating stations.

The emissions from each of the three boilers, Boilers 1, 2 and 3 (Emission Sources 00001, 00002 and 00003) exhaust through its individual stack, identified as Emission Points 00001, 00002 and 0003, respectively.

Building(s): BOILERHS

**Condition 24: Notification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 202-1.2**

**Item 24.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 25: Acceptable procedures**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 202-1.3**

**Item 25.1:**

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

**Condition 26: Acceptable procedures - Stack test report submittal**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 202-1.3**

**Item 26.1:**

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

**Condition 27: Alternate test methods**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 202-1.3**



**Item 27.1:**

Alternate emission test methods or deviations from acceptable test methods may be utilized if it is impractical to utilize the acceptable test methods or where no applicable test method is available, if prior acceptance of the proposed alternate method is granted by the commissioner.

**Condition 28: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 225-1.2(a)(2)**

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any residual fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

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

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.30 percent by weight

Reference Test Method: ASTM D4294

Monitoring Frequency: MONTHLY

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

Reporting Requirements: MONTHLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 3/1/2008.

Subsequent reports are due every 1 calendar month(s).

**Condition 29: Alternative sulfur dioxide standard.**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 225-1.5(a)**

**Item 29.1:**

Fuels with a sulfur content greater than that allowed by 6 NYCRR Part 225-1 may be used when the source owner can demonstrate that sulfur dioxide emissions do not exceed the value for S calculated by the following equation:

$$S = (1.1AM + 2BT)/(M + T)$$



Where: S = Sulfur dioxide emission limit in lbs/mmBtu.

A = Sulfur in oil allowed by Table 1 or Table 2 (or Table 3 as applicable) of section 6 NYCRR Part 225-1.2 (in percent by weight)

B = Average sulfur in solid fuel allowed by Table 1 or Table 2 (or Table 3 as applicable) (in lbs sulfur per million BTU gross heat content)

M = Percent of total heat input from oil.

T = Percent of total heat input from solid fuel including coal, coke, wood, wood waste, and refuse derived fuel.

This general variance for fuel mixtures only applies to processes or stationary combustion installations. Compliance will be based on the total heat input from all fuels burned, including gaseous fuels. Any source owner who chooses to burn a fuel mixture pursuant to this subdivision is subject to the emission and fuel monitoring requirements of 6 NYCRR Part 225-1.7.

**Condition 30: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement: 6 NYCRR 225-1.8**

**Item 30.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 30.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An owner or operator of a facility which purchases and fires coal and/or fuel oil shall compile and retain records of the following information:

- a. fuel analyses and data on the quantities of all residual and distillate oil and coal received, burned or sold;
- b. the names of all purchasers of all residual and distillate oil and coal sold;
- c. any results of stack sampling, stack monitoring and other procedures used to ensure compliance with the provisions of 6 NYCRR Part 225-1.

Fuel analyses must contain, as a minimum, data on the sulfur content, specific gravity and heating value of any residual oil, distillate oil or coal received, burned or sold. Ash content shall also be included in the fuel analyses for any residual oil or coal received, burned or sold.

These records shall be retained for a minimum period of three years. If the facility is subject to Title V



requirements the minimum record retention period shall be five years. The records shall be made available for inspection by department staff during normal business hours. In addition, copies of such records shall be furnished to department staff upon request. All required sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

**Condition 31: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 31.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Opacity Language for North 1st Street Fuel Oil Terminal:

1. Opacity Incident Reporting:

Con Edison shall prepare opacity incident reports consistent with the requirements of this paragraph. The term "opacity incident" as used in this condition means smoke emissions which exhibit greater than 20% opacity (6-minute average) determined by a Method 9 analysis. Opacity incident report shall be maintained by Con Edison for a period of three years and shall be made available for inspection by the Department on demand. To provide a consistent and permanent record of all reportable opacity events, incident reporting will be initiated. The reports consist of documenting incident events by way of Incident Reports in Con Edison's Central information database system. Incident Reports identify personnel on duty, a brief summary of the incident and as necessary a sequence of events, a preliminary cause analysis and associated corrective action requirements. All opacity Incident



Reports are available electronically to cognizant Con Edison departments and personnel for their information, review and use. Incident Reports form the basis for more detailed root cause analysis, corrective actions, design modifications and project/program development and implementation.

2. Opacity Reporting Compliance Audits:

Con Edison shall conduct quarterly opacity reporting compliance audits consistent with the requirements of this paragraph. Quarterly opacity reporting compliance audits shall be performed to ensure compliance with applicable regulatory reporting requirements. Audits include a detailed review of the logbook containing visual observations and Method 9 analysis confirming that all indicated events were properly reported and documented.

3. Awareness, Communications and Training

Con Edison shall comply with the opacity awareness, communications and training provisions of this paragraph. Several significant initiatives have been undertaken to ensure and reinforce personnel understanding of the regulatory and operation requirements associated with opacity. Awareness has been heightened by consistently and effectively communicating mandates throughout all levels of Con Edison's Steam Operations organization. At the local station level, opacity understanding and awareness shall be communicated on an ongoing basis from station management to supervisory and operating and maintenance personnel. Such communications shall be reinforced by operator interaction with personnel assigned as Opacity Auditors. Formal operator training is required of all personnel in order to receive their Air Pollution Control Certificates. A formal Air Pollution Control Refresher Course has been developed by the Company and shall be given to all control room operators. It shall provide training in opacity regulatory requirements and fundamentals of combustion.

4. Preventive Maintenance:

Con Edison shall conduct, on an ongoing basis, a preventive maintenance program as described in this paragraph.

The program encompasses fuel, air, burner, and instrument and control system components and includes items such as fan, dampers, burners, ignitors, regulators, and related components. It consists of three phases defined as follows:



Phase 1 - identify essential program elements including repetitive deficiencies;  
Phase 2 - develop procedures for each identified element;  
Phase 3 - consists of ongoing implementation of preventive maintenance.

The primary elements of Con Edison's preventive maintenance program that would be applicable to the boilers at this facility for opacity reduction would consist of regular inspection, calibration and/or servicing of the following equipment for each of the Terminal's package boilers:

Boiler control and instrumentation;  
Fuel oil meters;  
Fuel oil pumps and strainers;  
Boiler fireside tubes (to minimize ash build-up);  
Control-air air compressors;  
Fuel-atomizing-air air compressors;  
Fuel oil pressure regulators;  
Atomizing air pressure regulators;  
Fan dampers and actuators; and  
Oil guns and tips

This program may be revised by adding appropriate new maintenance requirements and deleting ineffective or obsolete maintenance activities based on operating experience or changes in equipment operation. The Department shall be notified of all significant additions and deletions to the preventive maintenance program via Con Edison's quarterly report to the Department.

##### 5. Root Cause Analysis and Corrective Actions:

Con Edison shall conduct root cause analyses as described in this paragraph and shall take all corrective actions that are deemed necessary to maintain full compliance with the State's opacity requirements. A comprehensive Root Cause Analysis program including deficiency categorization and correction of categorized deficiencies will be implemented. Incident categories include oil, air, atomizing steam, ignition, burner and combustion control system deficiencies. Analysis, categorization and corrective action development shall be performed by station personnel. Corrections due to equipment failure, malfunction and marginal design shall be accomplished by corrective maintenance and simple design basis enhancement activities. Correction of operation deviations include focused training, minimized soot blowing and increased boiler fireside washes.



6. Quarterly Reports:

Con Edison shall submit to the Department quarterly reports each May 15, August 15, November 15 and February 15 which describe activities and progress that Con Edison has made during the preceding quarter in carrying out the requirements of paragraphs 1 through 5 above in this condition.

Penalties will not be assessed for excess opacity emission events attributable solely to equipment malfunctions or boiler start-ups or shut-downs, (as those terms are defined in 40 CFR §60.2); provided that, Con Edison identifies those events in its quarterly excess emission reports, certifies that the events were not preventable and the Department does not dispute Con Edison's claim that such events were not preventable. When requested by the Department, Con Edison shall make available to the Department any incident reports and root cause analyses that it prepared for such events. Con Edison shall expressly identify in its quarterly excess emission reports instances of excess opacity attributable to sootblowing, operator error, or careless operation of properly functioning equipment.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Condition 32: Emission Point Definition By Emission Unit Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 32.1:**

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

Emission Unit: N-F0004

Emission Point: 00001

Height (ft.): 34

Diameter (in.): 28

NYTMN (km.): 4508.023

NYTME (km.): 587.433

Building: BOILERHS

Emission Point: 00002

Height (ft.): 34

Diameter (in.): 28

NYTMN (km.): 4508.023

NYTME (km.): 587.433

Building: BOILERHS

Emission Point: 00003

Height (ft.): 34

Diameter (in.): 28



NYTMN (km.): 4508.023 NYTME (km.): 587.433 Building: BOILERHS

**Condition 33: Process Definition By Emission Unit**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 33.1:**

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

Emission Unit: N-F0004

Process: ROL

Source Classification Code: 1-02-004-02

Process Description:

Process ROL consists of the combustion of residual oil (# 6 fuel oil) in three small boilers, Boiler 1, 2 and 3 (Emission Sources 00001, 00002 and 00003, respectively) in Emission Unit N-F004. This emission unit, N-F004 consists of three small boilers, Boilers 1, 2 and 3 (Emission Sources 00001, 00002 and 00003, respectively). One boiler is rated at 25.2 MM Btu/hr (Emission Source 00003) and the other two boilers (Emission Sources 00001 and 00002) are rated at 26.78 MM Btu/hr each. The total heat input capacity from all three boilers is 78.76 MM Btu/hr. All three boilers combust residual oil (Process ROL). The steam from the three boilers is used to keep the residual oil warm for Con Edison's power generating stations.

The emissions from each of the three boilers, Boilers 1, 2 and 3 (Emission Sources 00001, 00002 and 00003) exhaust through its individual stack, identified as Emission Points 00001, 00002 and 0003, respectively.

Emission Source/Control: 00001 - Combustion  
Design Capacity: 26.78 million Btu per hour

Emission Source/Control: 00002 - Combustion  
Design Capacity: 26.78 million Btu per hour

Emission Source/Control: 00003 - Combustion  
Design Capacity: 25.2 million Btu per hour

**Condition 34: Corrective Action**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 227-1.6(a)**

**Item 34.1:**

This Condition applies to Emission Unit: N-F0004

**Item 34.2:**

Any facility found in violation of the provisions of this Part shall not cause, permit, or



allow the operation of the affected stationary combustion installation unless:

- (1) it is equipped with approved emission control equipment;
- (2) it is rehabilitated or upgraded in an approved manner; or
- (3) the fuel is changed to an acceptable type.

**Condition 35: Corrective Action**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 227-1.6(b)**

**Item 35.1:**  
This Condition applies to Emission Unit: N-F0004

**Item 35.2:**  
The commissioner may seal such stationary combustion installation so as to prevent any operation if the conditions of paragraphs 6 NYCRR Part 227-1.6(a)(1)-(3) are not met within the time provided by the order of final determination issued in the case of the violation.

**Condition 36: Corrective Action**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 227-1.6(c)**

**Item 36.1:**  
This Condition applies to Emission Unit: N-F0004

**Item 36.2:**  
No person shall cause, permit, or allow the operation of any affected stationary combustion installation sealed by the commissioner in accordance with 6 NYCRR Part 227-1.6.

**Condition 37: Corrective Action**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 227-1.6(d)**

**Item 37.1:**  
This Condition applies to Emission Unit: N-F0004

**Item 37.2:**  
No person except the commissioner or his representatives shall remove, tamper with or destroy any seal affixed to any stationary combustion installation in accordance with 6 NYCRR Part 227-1.6.

**Condition 38: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 227-2.4(d)**



**Item 38.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004

Process: ROL

Emission Source: 00001

**Item 38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A boiler tune-up shall be performed annually. The owner or operator of a small boiler shall maintain a log (in the format acceptable to the Department) containing the following information: (1) The date which the equipment was adjusted; and (2) The name, title, and affiliation of the person who adjusted the equipment.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

**Condition 39: Compliance Certification**

**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 227-2.4(d)**

**Item 39.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004

Process: ROL

Emission Source: 00002

**Item 39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A boiler tune-up shall be performed annually. The owner or operator of a small boiler shall maintain a log (in the format acceptable to the Department) containing the following information: (1) The date which the equipment was adjusted; and (2) The name, title, and affiliation of the person who adjusted the equipment.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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



**Condition 40: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 227-2.4(d)**

**Item 40.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004

Process: ROL

Emission Source: 00003

**Item 40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A boiler tune-up shall be performed annually. The owner or operator of a small boiler shall maintain a log (in the format acceptable to the Department) containing the following information: (1) The date which the equipment was adjusted; and (2) The name, title, and affiliation of the person who adjusted the equipment.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

**Condition 41: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 227.2(b)(1)**

**Item 41.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004

Emission Point: 00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this



condition,

2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and

3) all records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

**Condition 42: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 42.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004

Emission Point: 00001

Process: ROL

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- date and time of day
- observer's name





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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2008.

Subsequent reports are due every 3 calendar month(s).

**Condition 44: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable Federal Requirement:6NYCRR 227.2(b)(1)**



**Item 44.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004

Emission Point: 00002

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

- 1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition,
- 2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and
- 3) all records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

**Condition 45: Compliance Certification**

**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 45.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004

Emission Point: 00002

Process: ROL

**Item 45.2:**

Compliance Certification shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- date and time of day
- observer's name
- identity of emission point
- weather condition
- was a plume observed?

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

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

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

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



stack.

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 46: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 46.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004  
Process: ROL

Emission Point: 00002

**Item 46.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is





Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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

**Condition 48: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004

Emission Point: 00003

Process: ROL

**Item 48.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
  - date and time of day
  - observer's name
  - identity of emission point
  - weather condition
  - was a plume observed?

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

- 3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days



of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence.

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

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

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 49: Compliance Certification**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 49.1:**

The Compliance Certification activity will be performed for:

Emission Unit: N-F0004

Emission Point: 00003

Process: ROL

**Item 49.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which



this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: Method 9  
Monitoring Frequency: DAILY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 4/30/2008.  
Subsequent reports are due every 3 calendar month(s).



**STATE ONLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 50: Contaminant List  
Effective between the dates of 01/11/2008 and 01/10/2013**

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

**Item 50.1:**

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

CAS No: 0NY075-00-0  
Name: PARTICULATES

**Condition 51: Unavoidable noncompliance and violations**



**Effective between the dates of 01/11/2008 and 01/10/2013**

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

Item 51.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific



federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 52: Air pollution prohibited**  
**Effective between the dates of 01/11/2008 and 01/10/2013**

**Applicable State Requirement:6NYCRR 211.2**

**Item 52.1:**

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

