

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 2630600067**



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 2-6306-00067/00003  
Mod 0 Effective Date: 03/20/2000 Expiration Date: 03/19/2005  
Mod 5 Effective Date: 04/01/2004 Expiration Date: 03/19/2005

Permit Issued To: ST JOHN'S UNIVERSITY  
8000 UTOPIA PKWY  
JAMAICA, NY 11439

Facility: ST JOHNS UNIVERSITY  
81-50 UTOPIA PKWY  
JAMAICA, NY 11439

Contact: COLLEEN GREANEY  
ST JOHN'S UNIVERSITY  
8000 UTOPIA PARKWAY  
JAMAICA, NY 11439  
(718) 990-1348

**Description:**

St. John's University, located at 8000 Utopia Parkway in Jamaica, New York, is a renowned international university which provides a full range of higher education opportunities to more than 18,300 students. The Standard Industrial Classification (SIC) Code for this facility is 8221-Colleges, Universities, & Professional Schools.

St. John's University operates boilers on campus which supply steam and space heating for the buildings and dormitories under emission unit U-00006, gasoline dispensing station under emission unit U-00004 and emergency generators under emission unit U-00005.

The steam is produced by stationary combustion installations/boilers, with maximum rated heat input capacities ranging from 9.87 - 29.5 mmBtu/hr. The boilers are all capable of firing either distillate oil or natural gas.

The gasoline dispensing station consists of two underground gasoline storage tanks with capacities of 2500 gallons and 4000 gallons. The annual throughput of gasoline at the dispensing site is less than 120,000 gallons, with an average monthly throughput of 4000 gallons.

Emission unit U-00005 presently consists of three(3) emergency power generating units.

The facility operates other sources throughout the campus which are considered exempt from permitting



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in accordance with 6NYCRR201-3.2(c), including three space heaters with heat input of 0.22 mmbtu/hr each, 10 diesel fired emergency generators, 3 fuel oil storage tanks less than 300,000 bbls, and 12 storage tanks with capacities less than 10,000 gal.

The facility-wide emissions for sulfur dioxide (SO<sub>2</sub>) and nitrous oxide (NO<sub>x</sub>) at St. John's University exceed the major source pollutant thresholds listed in 6NYCRR Subpart 201-6 Title V Facility Permits and the major source threshold specified in 6NYCRR 227-2, Reasonably Available Control Technology (RACT) for Oxides of Nitrogen. To comply with the requirements of 6NYCRR227-2, St. John's University must perform annual tune-ups to the boilers contained in emission unit U-00006 and comply with the specified reporting and recordkeeping requirements. St. John's University is also subject to the SIP version of 6NYCRR225, Fuel Composition and Use - Sulfur Limitations, which restricts the sulfur content of distillate fuel oil utilized at all sources throughout the facility to 0.2 % by weight or less. All boilers on-site which are 10 mmBtu/hr or greater are subject to the requirements of 40CFR60, Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units. The facility must also comply with the smoke emission and corrective action requirements of 6NYCRR227-1, Stationary Combustion Installations. The gasoline dispensing station is subject to the recordkeeping requirements of 6NYCRR230.5. The registration requirements of 6NYCRR 230.7 apply but are satisfied in accordance with 6NYCRR201-4.3.

During August 1996 to October 1997, St. John's University converted boilers at the facility from No. 6 fuel oil fired to natural gas/No.2 fuel oil fired and reduced actual NO<sub>x</sub> emissions by 28.5 tons. Emission reduction credits (ERCs) for this decrease in NO<sub>x</sub> emissions were established and certified under Air State Facility permit 2-6306-00067/00005. Some of these ERCs were used for netting under Air State Facility permit 2-6306-00067/00006 when the facility replaced its two 7.7 mmbtu/hr boilers with two 29.5 mmbtu/hr heat input boilers.

The Title V permit contains a complete listing of the applicable federal, state and compliance monitoring requirements for the facility, its emission units and emission points. Appendix A contains a list of exempt activities as defined by 6NYCRR 201-3.2.

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 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 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.

**ing 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 and Modifications

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Permit Modifications, Suspensions, and Revocations by the Department

**Facility Level**

Submission of Applications 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**

**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 5-1: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13**

**Item 5-1.1:**

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

**Item 5-1.2:**

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 5-1.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute,



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regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

**Condition 3: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13(a)**

**Expired by Mod No: 5**

**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.

**Condition 5-2: Permit Modifications, Suspensions and Revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.14**

**Item 5-2.1:**

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.

**Condition 4: Permit Modifications, Suspensions, and Revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.14**

**Expired by Mod No: 5**

**Item 4.1:**

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.



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

**Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.5(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



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

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

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



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 2 6NYCRR 200.3: False statement
- 5-1 6NYCRR 201-3.2(c)(6): Compliance Certification
- 27 6NYCRR 201-6: Emission Unit Definition
- 5-3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 5-4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5-5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 5-2 6NYCRR 201-6.5(e): Compliance Certification
- 30 6NYCRR 202-2.1: Compliance Certification
- 31 6NYCRR 202-2.5: Recordkeeping requirements
- 5-6 6NYCRR 225.1(a)(3): Compliance Certification
- 5-7 6NYCRR 225.7(a): Compliance Certification
- 38 6NYCRR 227-1.6(a): Corrective action.
- 39 6NYCRR 227-1.6(b): Corrective action.
- 40 6NYCRR 227-1.6(c): Corrective action.
- 41 6NYCRR 227-1.6(d): Corrective action.
- 5-8 6NYCRR 227-1.7(b): Emissions data requirements.
- 48 40CFR 60.9, NSPS Subpart A: Availability of information.
- 49 40CFR 60.12, NSPS Subpart A: Circumvention.
- 50 40CFR 60.14, NSPS Subpart A: Modifications.
- 5-9 40CFR 68: Accidental release provisions.

**Emission Unit Level**

- 61 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 62 6NYCRR 201-6: Process Definition By Emission Unit

**EU=U-00004**

- 63 6NYCRR 201-4.3(b): Compliance Certification
- 5-10 6NYCRR 230.5(a): Compliance Certification

**EU=U-00005,Proc=DL1,ES=EG004**

- 5-11 6NYCRR 231-2.2(d)(3): Compliance Certification

**EU=U-00006**

- 5-12 6NYCRR 227-1.2(b): Multiple combustion sources.
- 5-13 6NYCRR 227-1.3(a): Compliance Certification
- 5-14 6NYCRR 227-2.4(d): Compliance Certification
- 5-15 6NYCRR 231-2.7(b): Compliance Certification
- 5-16 40CFR 60.40c, NSPS Subpart Dc: Applicability of this Subpart to this emission source
- 5-17 40CFR 60.48c, NSPS Subpart Dc: Compliance Certification

**EU=U-00006,EP=PT001,Proc=DI1,ES=B0001**

- 5-18 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 Cfr 60 Subpart A



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**EU=U-00006,EP=PT001,Proc=DI1,ES=B0002**

5-19 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

5-20 ECL 19-0301: Contaminant List

5-21 6NYCRR 201-1.4: Unavoidable noncompliance and violations

67 6NYCRR 211.2: Air pollution prohibited

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**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: Sealing - 6NYCRR Part 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

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

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

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

Any person who owns or operates an air contamination

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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.

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

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Item E: 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

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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 F: Recycling and Salvage - 6NYCRR Part 201-1.7**

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

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

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

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

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

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requirements, regulations, or law.

- Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**  
The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.
- Item K: 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 L: 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 M: 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 N: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission**

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**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 O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)**

The permittee 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. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

**Item P: 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 Q: 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 R: Fees - 6 NYCRR Part 201-6.5(a)(7)**

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

**Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)**

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted

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facility 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 facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Item T: 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 U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)**

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. 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.

**Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)**

No permit revision will be required for operating changes that contravene an express permit term, provided that such

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changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

**Item W: 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

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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 X: 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

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a shorter time period in the case of an emergency.

**Item Y: Required Emission Tests - 6 NYCRR Part 202-1.1**

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

**Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Item AA: Open Fires - 6 NYCRR Part 215**

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

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

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

**FEDERAL APPLICABLE REQUIREMENTS**

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

**Condition 2: False statement**  
**Effective between the dates of 03/20/2000 and 03/19/2005**

**Applicable Federal Requirement: 6NYCRR 200.3**

**Item 2.1:**

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

**Condition 5-1: Compliance Certification**  
**Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-1.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 5-1.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

St John's University operates ten (10) diesel fired emergency generators that are considered exempt sources if utilized for emergencies only, including times when the usual sources of heat, power, water and lighting are temporarily unobtainable, or to provide power to fire-fighting equipment. As proof of exempt eligibility

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for the emergency generators, the facility shall maintain monthly records which demonstrate that each engine is operated less than 500 hours per year, on a 12-month rolling total basis. An hour counter or similar device shall be utilized to monitor hours of operation, which shall be recorded in a bound log book after each use. The emergency generators shall be operated and maintained according to manufacturer's specifications to insure proper performance. Records demonstrating hours of operation and maintenance procedures for these sources shall be kept on-site for five years and be readily available to NYSDEC representatives upon request.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 27: Emission Unit Definition**  
**Effective between the dates of 03/20/2000 and 03/19/2005**

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

**Item 27.1(From Mod 5):**

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

Emission Unit: U-00004

Emission Unit Description:

EMISSION UNIT U-00004 CONSISTS OF A GASOLINE DISPENSING STATION SITE CONTAINING TWO (2) UNDERGROUND PETROLEUM STORAGE TANKS (UST) WITH CAPACITIES OF 2,500 GALLONS AND 4,000 GALLONS. THE 2,500 GALLON UST CONTAINS DIESEL FUEL AND THE 4,000 GALLON UST CONTAINS GASOLINE. THE USTS ARE HORIZONTAL PETROLEUM STORAGE TANKS AND HAVE EXEMPT STATUS IN ACCORDANCE WITH 6 NYCRR 201-3.2(C) (26). THE GASOLINE TANK IS EQUIPPED WITH STAGE I AND STAGE II VAPOR RECOVERY IN ACCORDANCE WITH PART 230.2(D)(1).

Building(s): BLDG2

**Item 27.2(From Mod 5):**

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

Emission Unit: U-00005

Emission Unit Description:

EMISSION UNIT U-00005 PRESENTLY CONSISTS OF THREE (3) EMERGENCY POWER GENERATING

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UNITS. EACH UNIT UTILIZES DIESEL FUEL AND EXHAUST GASES VENT DIRECTLY TO THE ATMOSPHERE AT THE GENERATING UNIT. THE 150 KW GENERATOR (EG001) IS LOCATED AT THE BASEBALL FIELD AND THE 750 KW GENERATOR (EG002) IS LOCATED AT MONTGORIS DINING HALL. A THIRD GENERATOR (EG003) HAS BEEN REMOVED FROM THE UNIVERSITY, AS REFLECTED IN THE "EMISSION SOURCE/CONTROL" SECTION BELOW." ANOTHER 100 kW EMERGENCY GENERATOR (EG004) WAS INSTALLED DURING THE 2002 YEAR FOR THE SOCCER FIELD.

Building(s): BLFLD  
MTGRS

**Item 27.3(From Mod 5):**

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

Emission Unit: U-00006

Emission Unit Description:

EMISSION UNIT U-00006 CONSISTS OF 2 IDENTICAL FST-250 BOILERS (B0001 AND B0002), EACH WITH A RATED CAPACITY OF 10.5 MMBTU/HR; 1 SUPERIOR BOILER (B0003) WITH A RATED CAPACITY OF 12.6 MMBTU/HR; 2 IDENTICAL PLW-463 BOILERS (B0004 AND B0005), EACH WITH A RATED CAPACITY OF 20.66 MMBTU/HR; 2 IDENTICAL PLW-661 BOILERS (B0012 AND B0013), EACH WITH A RATED CAPACITY OF 29.5 MMBTU/HR; 1 FEDERAL EASTMOND BOILER (B0006), WITH A RATED CAPACITY OF 18.9 MMBTU/HR; 3 TITUSVILLE BOILERS (B0009, B0010, AND B0011), EACH WITH A RATED CAPACITY OF 9.87 MMBTU/HR. EACH BOILER IS CAPABLE OF FIRING NATURAL GAS (PRIMARY FUEL) AND NO. 2 OIL (AS BACK UP). B0001, B0002, AND B0003 ARE LOCATED IN THE SUB-BASEMENT OF ST. JOHN'S HALL (BLDG.1). B0001 AND B0002 SHARE A COMMON STACK (PT004), AND B0003 HAS ITS OWN STACK (PT001). B0004, B0005, B0012, AND B0013 ARE LOCATED IN THE SUB-BASEMENT OF ST. ALBERT'S HALL (BLDG2). B0004, B0012, AND B0013 SHARE A COMMON STACK (PT002) AND B0005 HAS ITS OWN STACK (PT005). B0006, B0009, B0010, AND B0011 ARE LOCATED IN THE SUB-BASEMENT OF ALUMNI HALL (BLDG3) AND SHARE A COMMON STACK (PT003).



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Building(s): BLDG1  
BLDG2  
BLDG3

**Item 27.4(From Mod 0):**

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

Emission Unit: U-00001 End Date: 06/24/2003

Emission Unit Description:

Emission unit U-00001 consists of 2 identical FST-250 boilers with a rated capacity of 10.5 MMBTU/hr each and one Superior boiler with a rated capacity of 12.6 MMBTU/hr. Each boiler is capable of firing natural gas (primary fuel) and No. 2 oil (as back up). The Superior boiler has its own stack (PT001) while the two FST-250 boilers share a common stack (PT004). Both stacks are located in the sub-basement of St. John's Hall (Bldg1).

Building(s): BLDG1

**Item 27.5(From Mod 0):**

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

Emission Unit: U-00002 End Date: 06/24/2003

Emission Unit Description:

Emission Unit U00002 consists of two identical PLW 463 boilers, each with a rated capacity of 20.66 MMBTU/hr and two identical Fitzgibbon boilers, each with a design heat input capacity of 7.7 MMBTU/hr. The boilers, located in the sub-basement of St. Albert's Hall (Bldg2), are all capable of firing natural gas (primary fuel) and No. 2 oil (backup fuel) and share a common stack, emission point PT 002.

Building(s): BLDG2

**Item 27.6(From Mod 0):**

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

Emission Unit: U-00003 End Date: 06/24/2003

Emission Unit Description:

Emission Unit U-00003 has one Federal Eastmond boiler with a rated capacity of 18.9 MMBTU/hr and and three Titusville boilers, each with a design heat input capacity of 9.87 MMBTU/hr. The boilers, which are capable of firing natural gas (primary fuel) and No. 2 oil (backup fuel), are located in the sub-basement of the Alumni Hall. The stack associated with these boilers is emission point PT 003.



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Building(s): BLDG3

**Condition 5-3: Recordkeeping and reporting of compliance monitoring  
Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-3.1:**

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 5-4: Monitoring, Related Recordkeeping, and Reporting  
Requirements.  
Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-4.1:**

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 5-5: Compliance Certification  
Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-5.1:**

The Compliance Certification activity will be performed for the Facility.

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**Item 5-5.2:**

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

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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

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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 MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

**Condition 5-2: Compliance Certification**  
**Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-2.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5-2.2:**

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;

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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 office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

Hunters Point Plaza  
47-40 21st Street  
Long Island City, NY 11101-5407

The address for the BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway



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Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

Subsequent reports are due on the same day each year

**Condition 30: Compliance Certification**  
**Effective between the dates of 03/20/2000 and 03/19/2005**

**Applicable Federal Requirement: 6NYCRR 202-2.1**

**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:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 31: Recordkeeping requirements**  
**Effective between the dates of 03/20/2000 and 03/19/2005**

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

**Item 31.1:**

(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 5-6: Compliance Certification**  
**Effective between the dates of 04/01/2004 and 03/19/2005**

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**Applicable Federal Requirement: 6NYCRR 225.1(a)(3)**

**Item 5-6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5-6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell, offer for sale, purchase or use any distillate oil which has sulfur content greater than 0.20 percent by weight. 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: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.20 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

**Condition 5-7: Compliance Certification**

**Effective between the dates of 04/01/2004 and 03/19/2005**

**Applicable Federal Requirement: 6NYCRR 225.7(a)**

**Item 5-7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5-7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum, supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be



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available for inspection by, or submitted to, the NYSDEC as per the stated reporting requirement.

Monitoring Frequency: PER DELIVERY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2005.  
Subsequent reports are due every 12 calendar month(s).

**Condition 38: Corrective action.**  
**Effective between the dates of 03/20/2000 and 03/19/2005**

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

**Item 38.1:**

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 39: Corrective action.**  
**Effective between the dates of 03/20/2000 and 03/19/2005**

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

**Item 39.1:**

The commissioner may seal the affected stationary combustion installation that does not comply with the provisions in subdivision 6 NYCRR 227-1.6(a) within the time provided.

**Condition 40: Corrective action.**  
**Effective between the dates of 03/20/2000 and 03/19/2005**

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

**Item 40.1:**

No person shall cause, permit, or allow the operation of any affected stationary combustion installation sealed by the commissioner in accordance with this section.

**Condition 41: Corrective action.**  
**Effective between the dates of 03/20/2000 and 03/19/2005**

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

**Item 41.1:**



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No person except the commissioner or his representative shall remove, tamper with, or destroy any seal affixed to any affected stationary combustion installation.

**Condition 5-8: Emissions data requirements.**

**Effective between the dates of 04/01/2004 and 03/19/2005**

**Applicable Federal Requirement: 6NYCRR 227-1.7(b)**

**Item 5-8.1:**

Sampling, compositing, and analysis of fuel samples shall be conducted in accordance with methods acceptable to the commissioner.

**Condition 48: Availability of information.**

**Effective between the dates of 03/20/2000 and 03/19/2005**

**Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A**

**Item 48.1:**

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

**Condition 49: Circumvention.**

**Effective between the dates of 03/20/2000 and 03/19/2005**

**Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A**

**Item 49.1:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 50: Modifications.**

**Effective between the dates of 03/20/2000 and 03/19/2005**

**Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A**

**Item 50.1:**

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

**Condition 5-9: Accidental release provisions.**

**Effective between the dates of 04/01/2004 and 03/19/2005**

**Applicable Federal Requirement: 40CFR 68**

**Item 5-9.1:**



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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:

USEPA Region 2  
 Air Compliance Branch  
 290 Broadway  
 New York, NY 10007-1866  
 ATTN: Accidental Release Program contact

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

**Condition 61: Emission Point Definition By Emission Unit  
Effective between the dates of 03/20/2000 and 03/19/2005**

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

**Item 61.1(From Mod 5):**

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

Emission Unit: U-00006

Emission Point: PT001			
Height (ft.): 98	Length (in.): 25	Width (in.): 25	
NYTMN (km.): 4508.5	NYTME (km.): 601.8	Building: BLDG1	

Emission Point: PT002			
Height (ft.): 92	Length (in.): 96	Width (in.): 30	
NYTMN (km.): 4508.5	NYTME (km.): 601.8	Building: BLDG2	

Emission Point: PT003			
Height (ft.): 55	Diameter (in.): 20		
NYTMN (km.): 4508.5	NYTME (km.): 601.8	Building: BLDG3	

Emission Point: PT004			
Height (ft.): 98	Diameter (in.): 30		



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NYTMN (km.): 4508.5    NYTME (km.): 601.8    Building: BLDG1

Emission Point: PT005

Height (ft.): 99

Diameter (in.): 30

NYTMN (km.): 4508.5    NYTME (km.): 601.8    Building: BLDG2

**Condition 62: Process Definition By Emission Unit  
Effective between the dates of 03/20/2000 and 03/19/2005**

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

**Item 62.1(From Mod 5):**

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

Emission Unit: U-00004

Process: GDS

Source Classification Code: 4-06-003-99

Process Description:

EMISSION UNIT U-00004 CONSISTS OF A GASOLINE DISPENSING STATION SITE CONTAINING TWO (2) UNDERGROUND PETROLEUM STORAGE TANKS (UST) WITH CAPACITIES OF 2,500 GALLONS AND 4,000 GALLONS. THE 2,500 GALLON UST CONTAINS DIESEL FUEL AND THE 4,000 GALLON UST CONTAINS GASOLINE. THE USTS ARE HORIZONTAL PETROLEUM STORAGE TANKS AND HAVE EXEMPT STATUS IN ACCORDANCE WITH 6 NYCRR 201-3.2(C) (26). THE GASOLINE TANK IS EQUIPPED WITH STAGE I AND STAGE II VAPOR RECOVERY IN ACCORDANCE WITH PART 230.2(D)(1).

Emission Source/Control: GDS00 - Process

Design Capacity: 4,000 gallons

**Item 62.2(From Mod 5):**

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

Emission Unit: U-00005

Process: DL1

Source Classification Code: 2-03-001-01

Process Description:

THE DL1 PROCESS CONSISTS OF EMISSION SOURCES EG001, EG002 AND EG004 WHICH ARE EMERGENCY POWER GENERATING UNITS. EACH GENERATING UNIT UTILIZES DIESEL FUEL IN THE DL1 PROCESS. THE RATED CAPACITY, ASSOCIATED BUILDING, AND FLOOR LOCATION INFORMATION FOR EACH UNIT ARE AS FOLLOWS RESPECTIVELY: EG001, 150KW, BLFLD, GROUND



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LEVEL; EG002, 750KW, MTGRS, BASEMENT;  
EG004, 100KW, AT THE SOCCER FIELD.

Emission Source/Control: EG001 - Combustion  
Design Capacity: 150 kilowatts

Emission Source/Control: EG002 - Combustion  
Design Capacity: 750 kilowatts

Emission Source/Control: EG004 - Combustion  
Design Capacity: 100 kilowatts

**Item 62.3(From Mod 5):**

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

Emission Unit: U-00006

Process: DI1

Source Classification Code: 1-03-005-02

Process Description:

THE DI1 PROCESS CONSISTS OF EMISSION SOURCES B0001, B0002, B0003, B0004, B0005, B0006, B0009, B0010, B0011, B0012 AND B0013. ALL SOURCES ARE BOILERS AND UTILIZE NO.2 OIL AS THE FUEL SOURCE IN THIS SPECIFIC PROCESS. THE RATED CAPACITY, ASSOCIATED BUILDING, AND FLOOR/LOCATION FOR EACH BOILER ARE AS FOLLOWS: B0001 10.5 MMBTU/HR BLDG1, SUB-BASEMENT; B0013 27.7 MMBTU/HR BLDG2, SUB-BASEMENT; B0002 10.5 MMBTU/HR BLDG1, SUB-BASEMENT; B0006 18.9 MMBTU/HR BLDG3, SUB-BASEMENT; B0003 12.6 MMBTU/HR BLDG1, SUB-BASEMENT; B0009 9.87 MMBTU/HR BLDG3, SUB-BASEMENT; B0004 20.66 MMBTU/HR BLDG2, SUB-BASEMENT; B0010 9.87 MMBTU/HR BLDG3, SUB-BASEMENT; B0005 20.66 MMBTU/HR BLDG2, SUB-BASEMENT; B0011 9.87 MMBTU/HR BLDG3, SUB-BASEMENT; B0012 27.7 MMBTU/HR BLDG2, SUB-BASEMENT.

Emission Source/Control: B0001 - Combustion  
Design Capacity: 10.5 million Btu per hour

Emission Source/Control: B0002 - Combustion  
Design Capacity: 10.5 million Btu per hour

Emission Source/Control: B0003 - Combustion  
Design Capacity: 12.6 million Btu per hour

Emission Source/Control: B0004 - Combustion



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Design Capacity: 20.66 million Btu per hour

Emission Source/Control: B0005 - Combustion  
Design Capacity: 20.66 million Btu per hour

Emission Source/Control: B0006 - Combustion  
Design Capacity: 18.9 million Btu per hour

Emission Source/Control: B0009 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0010 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0011 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0012 - Combustion  
Design Capacity: 29.5 million Btu per hour

Emission Source/Control: B0013 - Combustion  
Design Capacity: 29.5 million Btu per hour

**Item 62.4(From Mod 5):**

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

Emission Unit: U-00006

Process: NG1

Source Classification Code: 1-03-006-02

Process Description:

THE NG1 PROCESS CONSISTS OF EMISSION SOURCES B0001, B0002, B0003, B0004, B0005, B0006, B0009, B0010, B0011, B0012 AND B0013. ALL SOURCES ARE BOILERS AND UTILIZE NATURAL GAS AS THE FUEL SOURCE IN THIS SPECIFIC PROCESS. THE RATED CAPACITY, ASSOCIATED BUILDING, AND FLOOR/LOCATION FOR EACH BOILER ARE AS FOLLOWS: B0001 10.5 MMBTU/HR BLDG 1, SUB-BASEMENT; B0013, 29.5MMBTU/HR BLDG2 SUB-BASEMENT; B0002 10.5 MMBTU/HR BLDG1, SUB-BASEMENT; B0006 18.9 MMBTU/HR BLDG3, SUB-BASEMENT; B0003, 12.6 MMBTU/HR BLDG1, SUB-BASEMENT; B0009 9.87 MMBTU/HR BLDG3, SUB-BASEMENT; B0004 20.66 MMBTU/HR BLDG2, SUB-BASEMENT; B0010 9.87 MMBTU/HR BLDG3, SUB-BASEMENT; B0005 20.66 MMBTU/HR BLDG2, SUB-BASEMENT; B0011 9.87MMBTU/HR BLDG3, SUB-BASEMENT; B0012 29.5 MMBTU/HR BLDG2, SUB-BASEMENT.



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Emission Source/Control: B0001 - Combustion  
Design Capacity: 10.5 million Btu per hour

Emission Source/Control: B0002 - Combustion  
Design Capacity: 10.5 million Btu per hour

Emission Source/Control: B0003 - Combustion  
Design Capacity: 12.6 million Btu per hour

Emission Source/Control: B0004 - Combustion  
Design Capacity: 20.66 million Btu per hour

Emission Source/Control: B0005 - Combustion  
Design Capacity: 20.66 million Btu per hour

Emission Source/Control: B0006 - Combustion  
Design Capacity: 18.9 million Btu per hour

Emission Source/Control: B0009 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0010 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0011 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0012 - Combustion  
Design Capacity: 29.5 million Btu per hour

Emission Source/Control: B0013 - Combustion  
Design Capacity: 29.5 million Btu per hour

**Item 62.5(From Mod 0):**

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

Emission Unit: U-00002

Process: DI2

Source Classification Code: 1-03-005-02

Process Description:

This process consists of emission sources B0004 and B0005 which are two identical boilers (PLW 463) with a rated capacity of 20.66 mmBTU/hr each and emission sources B0007 and B0008 which are two identical Fitzgibbon boilers with a rated capacity of 7.7 mmBTU/hr, each. All the boilers utilize No. 2 oil in this specific process.

Emission Source/Control: B0004 - Combustion



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Design Capacity: 20.66 million Btu per hour

Emission Source/Control: B0005 - Combustion  
Design Capacity: 20.66 million Btu per hour

Emission Source/Control: B0007 - Combustion  
Design Capacity: 7.7 million Btu per hour

Emission Source/Control: B0008 - Combustion  
Design Capacity: 7.7 million Btu per hour

**Item 62.6(From Mod 0):**

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

Emission Unit: U-00002

Process: NG2

Source Classification Code: 1-03-006-02

Process Description:

This process consists of emission sources B0004 and B0005 which are two identical boilers (PLW 463) with a rated capacity of 20.66 mmBTU/hr each and emission sources B0007 and B0008 which are two identical Fitzgibbon boilers with a rated capacity of 7.7 mmBTU/hr, each. All the boilers utilize natural gas in this specific process.

Emission Source/Control: B0004 - Combustion  
Design Capacity: 20.66 million Btu per hour

Emission Source/Control: B0005 - Combustion  
Design Capacity: 20.66 million Btu per hour

Emission Source/Control: B0007 - Combustion  
Design Capacity: 7.7 million Btu per hour

Emission Source/Control: B0008 - Combustion  
Design Capacity: 7.7 million Btu per hour

**Item 62.7(From Mod 0):**

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

Emission Unit: U-00003

Process: DI3

Source Classification Code: 1-03-005-02

Process Description:

This process consists of emission source B0006, a Federal Eastmond boiler with a rated capacity of 18.9 mmBTU/hr, and emission sources B0009, B0010 and B0011, three identical Titusville boilers with rated capacities of 9.87 mmBTU/hr, each. All the boilers utilize No. 2 fuel oil in this specific process.



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Emission Source/Control: B0006 - Combustion  
Design Capacity: 18.9 million Btu per hour

Emission Source/Control: B0009 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0010 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0011 - Combustion  
Design Capacity: 9.87 million Btu per hour

**Item 62.8(From Mod 0):**

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

Emission Unit: U-00003

Process: NG3

Source Classification Code: 1-03-006-02

Process Description:

This process consists of emission source B0006, a Federal Eastmond boiler with a rated capacity of 18.9 mmBTU/hr, and emission sources B0009, B0010 and B0011, three identical Titusville boilers with rated capacities of 9.87 mmBTU/hr, each. All the boilers utilize natural gas in this specific process.

Emission Source/Control: B0006 - Combustion  
Design Capacity: 18.9 million Btu per hour

Emission Source/Control: B0009 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0010 - Combustion  
Design Capacity: 9.87 million Btu per hour

Emission Source/Control: B0011 - Combustion  
Design Capacity: 9.87 million Btu per hour

**Condition 63: Compliance Certification**

**Effective between the dates of 03/20/2000 and 03/19/2005**

**Applicable Federal Requirement: 6NYCRR 201-4.3(b)**

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004



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**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Gasoline dispensing sites subject to the requirements of Part 230 of this Chapter which are registered with the Department pursuant to Part 612 of this Title meet the registration requirement of this Subpart and do not need to obtain any additional registration requirements.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 5-10: Compliance Certification**

**Effective between the dates of 04/01/2004 and 03/19/2005**

**Applicable Federal Requirement: 6NYCRR 230.5(a)**

**Item 5-10.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00004

Regulated Contaminant(s):

CAS No: 008006-61-9      GASOLINE

**Item 5-10.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any gasoline dispensing site must maintain records showing the quantity of all gasoline delivered to the site. These records must be retained at the gasoline dispensing site for at least two years, and must be made readily available to the commissioner or the commissioner's representative at any reasonable time.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 5-11: Compliance Certification**

**Effective between the dates of 04/01/2004 and 03/19/2005**

**Applicable Federal Requirement: 6NYCRR 231-2.2(d)(3)**

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**Item 5-11.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Process: DL1

Emission Source: EG004

Regulated Contaminant(s):

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

**Item 5-11.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The Nitrogen Oxides (NOx) emissions for the proposed  
emission source is limited to less than 2.5 tons per any  
12 consecutive months on a rolling basis.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 2.5 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MINIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

**Condition 5-12: Multiple combustion sources.**

**Effective between the dates of 04/01/2004 and 03/19/2005**

**Applicable Federal Requirement: 6NYCRR 227-1.2(b)**

**Item 5-12.1:**

This Condition applies to Emission Unit: U-00006

**Item 5-12.2:**

The total heat input of all furnaces connected to the same stack or pollution control device shall be used  
to calculate the permissible particulate emission rate.

**Condition 5-13: Compliance Certification**

**Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-13.1:**

The Compliance Certification activity will be performed for:

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Emission Unit: U-00006

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 5-13.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity (on a six minute block period) except for one six minute block period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Operators of air contamination sources that 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(s) or vent(s) 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:
  - weather condition
  - was a plume observed?

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, then the 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



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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.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING

**DESCRIPTION**

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

**Condition 5-14: Compliance Certification**

**Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-14.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

**Item 5-14.2:**

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.

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Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2005.  
Subsequent reports are due every 12 calendar month(s).

**Condition 5-15: Compliance Certification**

**Effective between the dates of 04/01/2004 and 03/19/2005**

**Applicable Federal Requirement: 6NYCRR 231-2.7(b)**

**Item 5-15.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

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

**Item 5-15.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Under Air State Facility (ASF) permit number 2-6306-00067/00006, for emission unit U-00002, the net emission increase of NO<sub>x</sub> resulting from the replacement of the two 7.7 mmbtu/hr boilers with two 29.5 mmbtu/hr heat input boilers was capped at 22.5 tons per year. As a result, the maximum annual potential for emission unit U-00002 was limited to 40.07 tons/ year.

The net emissions increase was determined as follows:

$$\begin{aligned} \text{NEI} &= \text{PEP} + \text{CEI} - \text{ERCS} \\ &= 32.92 + 7.02 - 17.44 \\ &= 22.50 \text{ tons / year} \end{aligned}$$

Where:

NEI is defined as the net emissions increase. In order for Subpart 231-2 to be applicable in this case, the NEI would need to be equal or greater than 25 tons per year.

PEP is defined as the project emission potential. In



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order for this project to net out of the Part 231-2 requirements, this project consisting of the two 29.5 mmbtu/hr heat input boilers, was limited to 32.92 tons/year NOx emissions and the maximum annual potential for the emission unit U-00002, was limited to 40.07 tons per 12 month rolling period.

CEI is defined as creditable emission increases. In this case, the CEI is due to the emergency generators permitted under emission unit U-00005.

ERCS are defined as emission reduction credits. The following emission reduction credits were used:

Emission Unit Number    NOx    ERCS Used (tons/year)

U-00001

6.97

U-00002

10.47

As a result, the NOx Maximum Annual Potential of NOx emissions from emission unit U-00006 under this permit, 2-6306-00067/00003 Modification 5, is limited to 54.76 tons per 12 month rolling period. This figure is derived from the MAP of 40.07 for emission unit U-00002 under ASF permit 2-6306-00067/00006, and from the MAP for emission units U-00001 and U-00003 under ASF permit 2-6306-00067/00005 of 8.38 and 6.31 respectively. For emission unit U-00006, see definition in the other permit condition.

The owner or operator shall calculate NOx emissions (based on fuel quantities) using the following formula:

$$\text{NOx emissions for U-00006} < \text{D1}(0.020) + \text{G1}(100) + \text{D2}(0.015) + \text{G2}(81)$$

Where:

D1 = 12-month rolling total distillate oil fired in gallons per year from emission sources B0001, B0002, B0003, B0004, B0005, B0006, B0009, B0010, B0011.

0.02 = AP42 NOx Emission Factor in pounds of NOx per gallon of distillate oil for emission sources B0001,



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B0002, B0003, B0004, B0005, B0006, B0009, B0010, B0011.

G1 = 12-month rolling total of natural gas fired in MMSCF per year from emission sources B0001, B0002, B0003, B0004, B0005, B0006, B0009, B0010, B0011.

100 = AP42 NO<sub>x</sub> Emission Factor in pounds of NO<sub>x</sub> per MMSCF of natural gas for emission sources B0001, B0002, B0003, B0004, B0005, B0006, B0009, B0010, B0011.

D2 = 12-month rolling total distillate oil fired in gallons per year from emission sources B0012 and B0013.

0.015 = NO<sub>x</sub> Emission Factor in pounds of NO<sub>x</sub> per gallon of distillate oil for emission sources B0012 and B0013

G2 = 12-month rolling total of natural gas fired in MMSCF per year from emission sources B0012 and B0013.

81 = NO<sub>x</sub> Emission Factor in pounds of NO<sub>x</sub> per MMSCF of natural gas for emission sources B0012 and B0013 as derived from the stack test. This figure is the average worst case scenario of the two sources.

The NO<sub>x</sub> emissions shall be reported semiannually to show NO<sub>x</sub> emissions for the 12 month rolling periods in the reporting period.

Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2004.  
Subsequent reports are due every 6 calendar month(s).

**Condition 5-16: Applicability of this Subpart to this emission source  
Effective between the dates of 04/01/2004 and 03/19/2005**

**Applicable Federal Requirement: 40CFR 60.40c, NSPS Subpart Dc**

**Item 5-16.1:**

This Condition applies to Emission Unit: U-00006

**Item 5-16.2:**



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This emission source is subject to the applicable General Provisions of 40 CFR 60 Subpart Dc. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

**Condition 5-17: Compliance Certification**

**Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-17.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00006

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 5-17.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The following requirements apply to sources B0001, B0002, B0004, B0005, B0006, B0012, B0013 which are subject to 40CFR60 Subpart Dc.

§ 60.48c Reporting and recordkeeping requirements.

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

(1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

(d) The owner or operator of each affected facility subject to fuel oil sulfur limits, shall submit reports to the Administrator.

(e) The owner or operator of each affected facility subject to fuel oil sulfur limits, shall keep records and submit reports as required under paragraph (d) of this section, including the following information, as applicable.

(1) Calendar dates covered in the reporting period.

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(2) Each 30-day average sulfur content (weight percent), calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of corrective actions taken.

(11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2), or (3) of this section, as applicable. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

(f) Fuel supplier certification shall include the following information:

(1) For distillate oil:

(i) The name of the oil supplier; and

(ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c.

(g) The owner or operator of each affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

(i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

(j) The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.2 percent by weight

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 7/30/2004.  
Subsequent reports are due every 6 calendar month(s).

**Condition 5-18: Applicability of General Provisions of 40 CFR 60 Subpart A  
Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-18.1:**

This Condition applies to Emission Unit: U-00006 Emission Point: PT001  
Process: DI1 Emission Source: B0001

**Item 5-18.2:**

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

**Condition 5-19: Applicability of General Provisions of 40 CFR 60 Subpart A  
Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-19.1:**

This Condition applies to Emission Unit: U-00006 Emission Point: PT001  
Process: DI1 Emission Source: B0002

**Item 5-19.2:**

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



**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 only enforceable and are not subject to annual compliance certification requirements for Title V permits.**

**Condition 5-20: Contaminant List**

**Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-20.1:**

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



**New York State Department of Environmental Conservation**

**Permit ID: 2-6306-00067/00003**

**Facility DEC ID: 2630600067**

CAS No: 008006-61-9

Name: GASOLINE

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

**Condition 5-21: Unavoidable noncompliance and violations**

**Effective between the dates of 04/01/2004 and 03/19/2005**

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

**Item 5-21.1:**

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



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**Facility DEC ID: 2630600067**

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 67: Air pollution prohibited**  
**Effective between the dates of 03/20/2000 and 03/19/2005**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 67.1:**

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.