

**New York State Department of Environmental Conservation
Facility DEC ID: 2630700290**



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

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6307-00290/00001
Mod 0 Effective Date: 06/21/2006 Expiration Date: 06/20/2011
Mod 1 Effective Date: Expiration Date:
Mod 2 Effective Date: 08/01/2007 Expiration Date: No expiration date.

Permit Issued To: LONG ISLAND JEWISH MEDICAL CENTER
270-05 76TH AVE
NEW HYDE PARK, NY 11040-1433

Contact: JEROLD SCHERER
LONG ISLAND JEWISH MEDICAL CENTER
270-05 76TH AVENUE
NEW HYDE PARK, NY 11040
(718) 470-7410

Facility: LONG ISLAND JEWISH MEDICAL CENTER-QUEENS
270-05 76TH AVE
QUEENS, NY 11040

Description:

This is a permit modification 1 of the Renewal 1 permit to include two cogeneration units, one generator with dual function as an emergency generator and as an assist to the cogeneration units and an emergency generator not previously permitted.

The facility operates three (3) boilers each with heat input capacity of 66.4 MMBTU/hr burning natural gas and number 2 oil, two cogeneration units each with heat input capacity of 12.219 MMBTU/hr burning natural gas and eight (8) emergency generators burning number 2 oil, and three (3) exempt boilers each with maximum heat input of 6.3 mmbtu/hr.

The NO_x emissions from the three boilers, each with heat input capacity of 66.4 MMBTU/hr, the two cogeneration units, the assist engine and the emergency generator are capped to less than 43.9 tons per year on a 12-month rolling period basis to avoid New Source Review applicability under 6NYCRR Subpart 231-2.

This is a major facility since the facility wide NO_x emissions are greater than 25 tons per year. and is subject to Part 201-6 requirements.

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

Permit Administrator: 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.

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

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Applications for Permit Renewals and Modifications

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Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal-REGION 2

HEADQUARTERS

Submission of application for permit modification or renewal-REGION 2

HEADQUARTERS



DEC GENERAL CONDITIONS

****** General Provisions ******

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

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

Item 1-1.1:

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 1-1.2:

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 1-1.3:



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

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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

Condition 1-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 1-2.1:

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

Item 4.1:

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

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;

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

****** Facility Level ******

Condition 5: Submission of 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

Condition 1-3: Submission of application for permit modification or renewal-REGION 2 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.6(a)

Item 1-3.1:

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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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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NEW HYDE PARK, NY 11040-1433

Facility: LONG ISLAND JEWISH MEDICAL CENTER-QUEENS
270-05 76TH AVE
QUEENS, NY 11040

Authorized Activity By Standard Industrial Classification Code:
8062 - GENERAL MEDICAL & SURGICAL HOSPITALS

Permit Effective Date:

Permit Expiration Date:



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1-1 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 23 6NYCRR 201-6: Emission Unit Definition
- *1-2 6NYCRR 201-7.1: Capping Monitoring Condition

Emission Unit Level

- 27 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 28 6NYCRR 201-6: Process Definition By Emission Unit
- 29 6NYCRR 201-7: Emission Unit Permissible Emissions
- 1-3 6NYCRR 201-7.1: Emission Unit Permissible Emissions
- 1-4 6NYCRR 201-7.1: Process Permissible Emissions

EU=U-000CP

- *30 6NYCRR 201-7: Capping Monitoring Condition

EU=U-000CP,EP=000CP,Proc=1CG,ES=00CG1

- 1-5 6NYCRR 227-2.5(c): Compliance Certification

EU=U-000CP,EP=000CP,Proc=2CG,ES=00CG2

- 1-6 6NYCRR 227-2.5(c): Compliance Certification

EU=U-GENCP,EP=000G1,Proc=CF3,ES=0GEN1

- 1-7 6NYCRR 227-2.5(c): Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 35 ECL 19-0301: Contaminant List

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

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

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

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to



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Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)

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

Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

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

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

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

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

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

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6NYCRR 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



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order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)

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

Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)

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

Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

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

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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 K: Reopening for Cause - 6 NYCRR Part 201-6.5(i)

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit



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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: Permit Exclusion - ECL 19-0305

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

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

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

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE

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

**Condition 1-1: Prohibition of Reintroduction of Collected Contaminants to the air
Effective for entire length of Permit**



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Applicable Federal Requirement: 6NYCRR 201-1.8

Replaces Condition(s) 12

Item 1-1.1:

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

Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 06/21/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.8

Replaced by Condition(s) 1-1

Item 12.1:

No person shall 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.

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

Condition 23: Emission Unit Definition
Effective between the dates of 06/21/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1(From Mod 1):

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

Emission Unit: U-000CP

Emission Unit Description:

Three (3) boilers with emission sources 00CP1, 00CP2, 00CP3 combined to one (1) stack, emission point 000CP.

Two cogeneration systems; sources 00CG1 and 00CG2 exhausting through the existing stack, emission point 000CP. Each of these sources is equipped with catalytic oxidation controls, designated as 01CG1 02CG2 respectively.

Building(s): CENTRAL



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Item 23.2(From Mod 1):

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

Emission Unit: U-GENCP

Emission Unit Description:

This emission unit includes one dual-use generator (emergency and assist for the cogen units); designated as 0GEN1, exhausting to emission point 000G1.

Building(s): CENTRAL

Item 23.3(From Mod 1):

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

Emission Unit: U-OEGCP

Emission Unit Description:

This emission unit is for the existing emergency generator (source EGEN1) installed in the central plant that was part of the central plant boiler installation.

This emergency generator has a dedicated exhaust stack (emission point 00EG1).

Building(s): MAIN

**Condition 1-2: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 1-2.1:

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

6NYCRR 231-2

Item 1-2.2:

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

Item 1-2.3:

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

Item 1-2.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an



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emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 1-2.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 1-2.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 1-2.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The NOx (Oxides of Nitrogen) emissions are capped at 43.92 tons per year on a 12-month rolling basis to avoid New Source Review Applicability of 6NYCRR Subpart 231-2. This figure is derived from the current facility capping of 21.42 tons per year plus the NEI of 22.5 tons per year, see bellow.

$$NEI = PEP + CEI - ERCs$$

NEI: The aggregate increase in emissions of a nonattainment contaminant in tons per year at an existing major facility.

PEP: Project Emission Potential for the proposed source project =

$$= (\text{NOx from the existing emergency generator U-0EGCP increase - the prior allowable}) + [(\text{NOx from prior allowable U-000CP boiler emissions} + \text{max PTE for U-GENCP: two cogeneration systems and one dual-use generator}) - \text{prior actual emission from boilers U000CP}] =$$

$$= (5.1 - 1.3) + ((21.42 + 19.92 + 1.74) - 20.7)$$

=

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$$= 26.18$$

CEI: Creditable Emission Increase =

= any increase in emissions of a nonattainment contaminant in tons per year from an emission unit at an existing facility, other than such an increase from the proposed source project.

= prior allowable NO_x for existing three Central Plant boilers each rated at 66.64 MMBtu/hr and emergency generator, sources began operation in the summer 2003 =

$$= 21.42 + 1.7$$

$$= 23.12$$

ERCs: Emission Reduction Credits =

= any decrease in emission of a nonattainment contaminant in ton per year, on or after 11/15/1990 = reductions from five (5) Utility boilers which ceased operations July 31, 2003 and subsequently removed from site. Baseline period from 2001 and 2002 emissions =

$$47.65$$

$$NEI = 26.18 = 23.12 - 47.65 =$$

$$= 1.65$$

NEI is < 25 tons, therefore the facility is not subject to NSR.

The facility proposes to use 26.8 tons of ERCs for netting, resulting in an excess of 20.85 tons ERCs to be retained by the facility for future use.

$$\text{Therefore, } NEI = 26.18 + 23.12 - 26.8 = 22.5$$

The owner or operator shall maintain record of the quantity of fuel burned by the three Nebraska boilers each with heat input of 66.4 mmbtu/hr (emission sources 00CP1, 00CP2 and, 00CP3) the two cogeneration units (emission

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sources 00CG1 and 00CG2), the assist engine (emission source 0GEN1) as emergency and assist, the existing emergency generator (emission source EGEN1) not previously permitted and calculate the NO_x emissions based on the type and quantity of fuel, burned using the following formula:

$$R(0.075) + D(0.02) + G(100) + \text{COGEN} + \text{AE} + \text{EEG} < 47 \text{ tpy}$$

Where:

For the three Nebraska boilers, emission sources 00CP1, 00CP2 and, 00CP3:

R = 12-month rolling total of residual oil fired in gallons/yr.

D = 12-month rolling total of distillate oil fired in gallons/yr.

G = 12-month rolling total of natural gas fired in MMSCF/yr.

0.75 = emission factor, pound of NO_x per gallon residual oil fired.

0.02 = emission factor, pound of NO_x per gallon distillate oil fired.

100 = emission factor, pound of NO_x per MMSCF.

For the two cogeneration units, emission sources 01CG1 and 01CG2:

$$\text{COGEN} = (\text{hours of operation}) * (\text{manufacture's emission guarantee of } 0.525 \text{ g/bhp-hr}) * 2 \text{ engines} * \text{bhp / engine}) * (1 \text{ lb} / 453 \text{ gr}) * (1 \text{ ton} / 2000 \text{ lbs})$$

For the assist engine (dual use engine), emission source 0GEN1:

$$\text{AE} = \text{hours of operation} * \text{mmbtu/hr} * 3.2 \text{ lbs/mmbtu} * (1 \text{ ton} / 2000 \text{ lbs})$$

For the existing emergency generator not previously permitted, emission source EGEN1:

$$\text{EEG} = \text{hours of operation} * \text{gallons of oil burned / hours of operation} * 0.142 \text{ mmBtu/ gallon} * 3.2 \text{ lbs/mmbtu} * (1 \text{ ton} / 2000 \text{ lbs})$$

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Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 43.92 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

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

Condition 27: Emission Point Definition By Emission Unit
Effective between the dates of 06/21/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Item 27.1(From Mod 1):

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

Emission Unit: U-000CP

Emission Point: 000CP

Height (ft.): 135

Diameter (in.): 96

NYTMN (km.): 4513.

NYTME (km.): 608.9

Building: CENTRAL

Item 27.2(From Mod 1):

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

Emission Unit: U-GENCP

Emission Point: 000G1

Height (ft.): 42

Diameter (in.): 16

Building: CENTRAL

Item 27.3(From Mod 1):

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

Emission Unit: U-OEGCP

Emission Point: 00EG1

Height (ft.): 42

Diameter (in.): 16

Condition 28: Process Definition By Emission Unit

Effective between the dates of 06/21/2006 and Permit Expiration Date

New York State Department of Environmental Conservation

Permit ID: 2-6307-00290/00001

Facility DEC ID: 2630700290



Applicable Federal Requirement: 6NYCRR 201-6

Item 28.1(From Mod 1):

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

Emission Unit: U-000CP

Process: 1CF

Source Classification Code: 1-03-005-02

Process Description: FIRING NUMBER 2 FUEL OIL.

Emission Source/Control: 00CP1 - Combustion

Design Capacity: 66.4 million Btu per hour

Item 28.2(From Mod 1):

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

Emission Unit: U-000CP

Process: 1CG

Source Classification Code: 1-03-006-02

Process Description: FIRING NATURAL GAS.

Emission Source/Control: 00CG1 - Combustion

Design Capacity: 12.219 million Btu per hour

Emission Source/Control: 00CP1 - Combustion

Design Capacity: 66.4 million Btu per hour

Item 28.3(From Mod 1):

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

Emission Unit: U-000CP

Process: 2CF

Source Classification Code: 1-03-005-02

Process Description: FIRING NUMBER 2 FUEL OIL.

Emission Source/Control: 00CP2 - Combustion

Design Capacity: 66.4 million Btu per hour

Item 28.4(From Mod 1):

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

Emission Unit: U-000CP

Process: 2CG

Source Classification Code: 1-03-006-02

Process Description: FIRING NATURAL GAS.

Emission Source/Control: 00CG2 - Combustion

Design Capacity: 12.219 million Btu per hour

Emission Source/Control: 00CP2 - Combustion

Design Capacity: 66.4 million Btu per hour

New York State Department of Environmental Conservation

Permit ID: 2-6307-00290/00001

Facility DEC ID: 2630700290



Item 28.5(From Mod 1):

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

Emission Unit: U-000CP
Process: 3CF Source Classification Code: 1-03-005-02
Process Description: FIRING NUMBER 2 FUEL OIL.

Emission Source/Control: 00CP3 - Combustion
Design Capacity: 66.4 million Btu per hour

Item 28.6(From Mod 1):

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

Emission Unit: U-000CP
Process: 3CG Source Classification Code: 1-03-006-02
Process Description: FIRING NATURAL GAS.

Emission Source/Control: 00CP3 - Combustion
Design Capacity: 66.4 million Btu per hour

Item 28.7(From Mod 1):

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

Emission Unit: U-GENCP
Process: CF3 Source Classification Code: 1-03-005-02
Process Description: Firing No. 2 oil.

Emission Source/Control: 0GEN1 - Combustion
Design Capacity: 2,000 kilowatts

Item 28.8(From Mod 1):

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

Emission Unit: U-OEGCP
Process: ECF Source Classification Code: 2-02-004-01
Process Description: Firing no. 2 fuel oil.

Emission Source/Control: EGEN1 - Combustion
Design Capacity: 2,000 kilowatts

Condition 29: Emission Unit Permissible Emissions
Effective between the dates of 06/21/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Expired by Mod 1



Applicaton Specific Data

**Condition 1-3: Emission Unit Permissible Emissions
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 1-3.1:

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-000CP

CAS No: 0NY210000 (From Mod 1)
Name: OXIDES OF NITROGEN
PTE(s): 15.94 pounds per hour
42,800 pounds per year

Emission Unit: U-GENCP

CAS No: 0NY210000 (From Mod 1)
Name: OXIDES OF NITROGEN
PTE(s): 43,316.2 pounds per year
71.57 pounds per hour

Emission Unit: U-OEGCP

CAS No: 0NY210000 (From Mod 1)
Name: OXIDES OF NITROGEN
PTE(s): 10,053.6 pounds per year
67.02 pounds per hour

**Condition 1-4: Process Permissible Emissions
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 1-4.1:

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-OEGCP Process: ECF

CAS No: 0NY210-00-0 (From Mod 1)
Name: OXIDES OF NITROGEN
PTE(s): 67.02 pounds per hour

New York State Department of Environmental Conservation

Permit ID: 2-6307-00290/00001

Facility DEC ID: 2630700290



10,053.6 pounds per year

Condition 30: Capping Monitoring Condition
Effective between the dates of 06/21/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Expired by Mod 1

Item 30.1:

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

6NYCRR 231-2.7(b)

Item 30.2:

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

Item 30.3:

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

Item 30.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 30.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 30.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-000CP

Regulated Contaminant(s):

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

Item 30.7:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 2-6307-00290/00001

Facility DEC ID: 2630700290



Capping: Yes

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

Monitoring Description:

The NO_x (Oxides of Nitrogen) emissions are capped as per previous permit 2-6307-00290/00001 Mod. 2, at 21.4 tons per year on a 12-month rolling basis to avoid New Source Review Applicability of 6NYCRR Subpart 231-2.

The owner or operator shall maintain record of the quantity of fuel burned by the three Nebraska boilers each with heat input of 66.4 mmbtu/hr and calculate the NO_x emissions based on the type and quantity of fuel, burned using the following formula:

$R(0.075) + D(0.02) + G(100) + < 42,800$ pounds per year
(lb/yr)

Where:

R = 12-month rolling total of residual oil fired in
gallons/yr.

D = 12-month rolling total of distillate oil fired in
gallons/yr.

G = 12-month rolling total of natural gas fired in
MMSCF/yr.

0.75 = emission factor, pound of NO_x per gallon residual
oil fired.

0.02 = emission factor, pound of NO_x per gallon distillate
oil fired.

100 = emission factor, pound of NO_x per MMSCF.

Process Material: NATURAL GAS

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 21.4 tons per year

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 10/30/2006.

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

Condition 1-5: Compliance Certification
Effective for entire length of Permit

New York State Department of Environmental Conservation

Permit ID: 2-6307-00290/00001

Facility DEC ID: 2630700290



Applicable Federal Requirement: 6NYCRR 227-2.5(c)

Item 1-5.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-000CP Emission Point: 000CP
Process: 1CG Emission Source: 00CG1

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

Item 1-5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Based on the June 20, 2007 NOx RACT variance request due to economic and technological reasons, an alternative RACT emission limit of 5.1 grams per brake horsepower-hr has been approved by the department.

Stack testing will be required in order to demonstrate compliance with the regulatory standard. The owner or operator must submit a stack test protocol to the Department for approval prior to testing. The owner or operator shall submit stack test results, to the Department for approval, within 60 days of stack test completion.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 5.1 grams per brake horsepower-hour

Reference Test Method: EPA

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-6: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 227-2.5(c)

Item 1-6.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-000CP Emission Point: 000CP



New York State Department of Environmental Conservation

Permit ID: 2-6307-00290/00001

Facility DEC ID: 2630700290

Process: 2CG

Emission Source: 00CG2

Regulated Contaminant(s):

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

Item 1-6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Based on the June 20, 2007 NO_x RACT variance request due to economic and technological reasons, an alternative RACT emission limit of 5.1 grams per brake horsepower-hr has been approved by the department.

Stack testing will be required in order to demonstrate compliance with the regulatory standard. The owner or operator must submit a stack test protocol to the Department for approval prior to testing. The owner or operator shall submit stack test results, to the Department for approval, within 60 days of stack test completion.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 5.1 grams per brake horsepower-hour

Reference Test Method: EPA

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-7: Compliance Certification

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-2.5(c)

Item 1-7.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GENCP Emission Point: 000G1

Process: CF3

Emission Source: 0GEN1

Regulated Contaminant(s):

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

Item 1-7.2:

New York State Department of Environmental Conservation

Permit ID: 2-6307-00290/00001

Facility DEC ID: 2630700290



Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Based on the June 20, 2007 NO_x RACT variance request due to economic and technological reasons, an alternative RACT emission limit of 5.1 grams per brake horsepower-hr has been approved by the department.

Stack testing will be required in order to demonstrate compliance with the regulatory standard. The owner or operator must submit a stack test protocol to the Department for approval prior to testing. The owner or operator shall submit stack test results, to the Department for approval, within 60 days of stack test completion.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 5.1 grams per brake horsepower-hour

Reference Test Method: EPA

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 35: Contaminant List
Effective between the dates of 06/21/2006 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 35.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this

New York State Department of Environmental Conservation

Permit ID: 2-6307-00290/00001

Facility DEC ID: 2630700290



permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES