

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 2-6003-00038/00008

3/12/02 08:20:23



Facility Identification Data

Name: RIVERBAY CORP-CO-OP CITY
Address: 2049 BARTOW AVENUE
City: BRONX
Zip: 10475

Owner/Firm

Name: RIVERBAY CORP
City: BRONX
State: NY Country: USA Zip: 10475
Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:
Name: ELIZABETH A. CLARKE
Address: ONE HUNTERS POINT PLAZA
47-40 21ST ST

Division of Air Resources:
Name: DIANA MENASHA
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HUNTERS POINT PLAZA
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Air Permitting Contact:
Name: PETER BUNDOCK
Address: RIVERBAY CORPORATION; CO-OP CITY POWER PLANT
98 CO-OP CITY BOULEVARD
Phone:7183203108

Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(2) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that while the permit review report is based on information found in the accompanying permit, it is not an enforceable document and therefore, has no legal standing.

Summary Description of Proposed Project

RIVERBAY CORP CO-OP CITY IS A HOUSING DEVELOPMENT CONSISTING OF MORE THAN 15,000 APARTMENTS, THREE SHOPPING CENTERS, AND EIGHT GARAGES. THE ENTIRE COMPLEX IS HEATED AND COOLED BY THE POWER PLANT, WHICH GENERATES

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STEAM, CHILLED WATER AND ELECTRICITY. THE FACILITY'S MAJOR UNITS ARE THREE RILEY STOKER BOILERS, WITH THREE SEPARATE STACKS. AS THESE ARE CATEGORIZED AS VERY LARGE BOILERS UNDER THE NOX RACT RULE, THESE BOILERS HAVE BEEN RETROFITTED WITH DUAL FUEL (GAS & #6 OIL), LOW NOX BURNERS DESIGNED TO MEET THE REQUIREMENTS OF 0.25 LB NOX/MMBTU, AS PER 6 NYCRR PART 227. AS PER THE REQUIREMENTS OF 6NYCRR 227-2, THESE BOILERS ARE CLASSIFIED AS VERY LARGE BOILERS (EACH BOILER > 250 MM BTU/HR OF HEAT INPUT). CONSEQUENTLY, A CONTINUOUS EMISSION MONITORING SYSTEM (CEMS) HAS BEEN INSTALLED ON EACH STACK (EACH BOILER HAS ITS OWN STACK) TO MEASURE NO_x AND CO₂ EMISSIONS. THE CO₂ MEASUREMENT ALLOWS FOR THE DETERMINATION OF NO_x EMISSIONS IN LB NO_x/MM BTU. THE PERMIT CONDITION ESTABLISHED FOR NO_x EMISSION MEETS THE REQUIREMENT OF 6 NYCRR 227-2 (0.25 LB NO_x /MM BTU) WHEN THE BOILERS OPERATE ON EITHER NATURAL GAS OR # 6 FUEL OIL.

Attainment Status

RIVERBAY CORP-CO-OP CITY is located in the town of BRONX in the county of BRONX. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO ₂)	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NO _x)**	ATTAINMENT
Carbon Monoxide (CO)	MODERATE NON-ATTAINMENT

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

** NO_x has a separate ambient air quality standard in addition to being an ozone precursor

Facility Description

THE CO-OP CITY POWER PLANT IS LOCATED AT 98 CO-OP CITY BLVD., BRONX, NEW YORK, AND HAS BEEN IN OPERATION SINCE 1968. THE POWER PLANT OPERATES WITH TWO LOW PRESSURE AND ONE HIGH PRESSURE NO. 6 OIL OR NATURAL GAS FIRED BOILERS. EACH BOILER IS EQUIPPED WITH ITS OWN STACK.

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Permit Structure and Description of Operations

The Title V permit for RIVERBAY CORP-CO-OP CITY is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process.

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

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

RIVERBAY CORP-CO-OP CITY is defined by the following emission unit(s):

Emission unit U00003 - EMISSION UNIT U00003 IS COMPRISED OF A RILEY STOKER BOILER (MODEL OD-1) AND A DEDICATED STACK (CONSTRUCTED JULY 1968). THE BOILER IS CAPABLE OF FIRING EITHER NATURAL GAS OR NO. 6 FUEL OIL (AS PER CONVERSION, OPERATION W/DUAL FUEL BURNERS COMMENCED MAY 95)

Emission unit U00003 is associated with the following emission points (EP):
00003

It is further defined by the following process(es):

Process: 005 is located at FIRST FLOOR, Building PPLANT - FIRING NO. 6 FUEL OIL IN BOILERS 00003.

Process: 006 is located at FIRST FLOOR, Building PPLANT - FIRING NATURAL GAS IN BOILERS 00003.

Emission unit U00001 - EMISSION UNIT U00001 IS COMPRISED OF A RILEY STOKER BOILER (MODEL OD-1) AND A STACK (CONSTRUCTED JULY 1968). THE BOILER IS NOW CAPABLE OF FIRING EITHER NATURAL GAS OR NO. 6 FUEL OIL (AS PER CONVERSION, OPERATION W/DUAL FUEL BURNERS COMMENCED IN MAY 1995).

Emission unit U00001 is associated with the following emission points (EP):
00001

It is further defined by the following process(es):

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Process: 001 is located at FIRST FLOOR, Building PPLANT - FIRING NO. 6 FUEL OIL IN BOILER 00001.

Process: 002 is located at FIRST FLOOR, Building PPLANT - FIRING NATURAL GAS IN BOILER 00001.

Emission unit U00002 - EMISSION UNIT U00002 IS COMPRISED OF A RILEY STOKER BOILER (MODEL OD-1) AND A DEDICATED STACK (CONSTRUCTED JULY 1968). THE BOILER IS CAPABLE OF FIRING EITHER NATURAL GAS OR NO. 6 FUEL OIL (AS PER CONVERSION, OPERATION W/DUAL FUEL BURNERS COMMENCED MAY 95)

Emission unit U00002 is associated with the following emission points (EP):
00002

It is further defined by the following process(es):

Process: 003 is located at FIRST FLOOR, Building PPLANT - FIRING NO. 6 FUEL OIL IN BOILER 00002.

Process: 004 is located at FIRST FLOOR, Building PPLANT - FIRING NATURAL GAS IN BOILERS 00002.

Title V/Major Source Status

RIVERBAY CORP-CO-OP CITY is subject to Title V requirements. This determination is based on the following information:

The Riverbay Corp-Co-Op City is a major facility because the potential emissions of carbon monoxide, nitrogen oxides and volatile organic compounds are greater than the major source thresholds (100 tons/year for carbon monoxide, and 25 tons per year for both nitrogen oxides and volatile organic compounds).

Program Applicability

The following chart summarizes the applicability of RIVERBAY CORP-CO-OP CITY with regards to the principal air pollution regulatory programs:

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

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TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

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

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

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

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

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

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

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the

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purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

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

SIC Codes

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

SIC Code

Description

6513	APARTMENT BUILDING OPERATORS
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SCC Codes

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

SCC Code

Description

1-03-004-01	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - RESIDUAL OIL Grade 6 Oil
1-03-006-01	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - NATURAL GAS Over 100 MMBtu/Hr

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Series code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are

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not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000630-08-0	CARBON MONOXIDE		>= 100 tpy but < 250 tpy
0NY100-00-0	HAP		>= 10 tpy but < 25 tpy
007439-92-1	LEAD(HAP)		> 0 but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN		>= 250 tpy
0NY075-00-0	PARTICULATES		>= 250 tpy
0NY075-00-5	PM-10		>= 250 tpy
007446-09-5	SULFUR DIOXIDE		>= 250 tpy
0NY998-00-0	VOC		>= 10 tpy but < 25 tpy

Applicability Discussion:

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

6NYCRR Part 200-.5

Allows for the sealing of non-compliant air contamination sources

6NYCRR Part 200-.6

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

6NYCRR Part 200-.7

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

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6NYCRR Part 201-1.2

Any existing emission source that is required to be permitted or registered but has not done so, must apply for the necessary permit or registration. The source is subject to all regulations that were applicable at the time the original permit or registration was required as well as any subsequent applicable requirements that came into effect since.

6NYCRR Part 201-1.4

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

6NYCRR Part 201-1.5

An enforcement action may be avoided if the facility can demonstrate that an emergency situation occurred which resulted in an emission limitation or permit violation. The following information would constitute evidence of an emergency situation: a properly signed operating log recorded during the actual event which; identifies the cause(s) of the emergency, indicates that all equipment was operating properly at the time, the person responsible took all reasonable steps to minimize the exceedance or violation, and that the department was notified of the emergency within 2 working days of the event.

6NYCRR Part 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6NYCRR Part 201-1.8

Prohibits the reintroduction of collected contaminants to the air

6NYCRR Part 201-1.10(a)

The department must make available any records regarding compliance with operational flexibility and/or emission capping requirements in accordance with Part 616 - Public Access to Records. Owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

6NYCRR Part 201-1.10(b)

Any permit application, compliance plan, permit, and monitoring and compliance certification report that is submitted as part of the Title V permit process must be made available to the public as per requirements set forth under 6 NYCRR Part 616 - Public Access to Records and section 114(c) of the Clean Air Act Amendments of 1990.

6NYCRR Part 201-3.2(a)

An owner and/or operator of an exempt emission source or unit may be required to

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certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6NYCRR Part 201-3.3(a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6NYCRR Part 201-5

General Provisions - this requirement applies to those permit terms and conditions which are not federally enforceable; specifies that permittees must maintain emission units and control devices in compliance with all rules; authorizes reasonable access for inspections for department representatives; requires that on-site monitoring recordkeeping be made available for review for at least 5 years.

Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the state-only portion of the permit, unless they are specifically addressed by it.

6NYCRR Part 201-5.3(b)

Lists those contaminants subject to contaminant specific requirements

6NYCRR Part 201-6

General provisions for Title V permits including:

Applicable Criteria, Limits, Terms, Conditions and Standards - requires that facility operations take place in accordance with approved criteria, emission limits, terms, conditions and standards as specified in the permit and that any documents required by the federally enforceable portion of the permit be certified by a responsible official

Cessation or Reduction of Permitted Activity Not a Defense - specifies that the cessation or reduction of a permitted activity to maintain compliance is not a defense in an enforcement action

Compliance Requirements - lists the information that must be included in any required compliance monitoring records and reports; and requires; compliance with any approved

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compliance schedule; the submittal of risk management plans as per 112(r) of the Act if necessary; and the submittal of compliance progress reports on a semiannual basis, at a minimum

Federally-Enforceable Requirements - specifies what permit terms and conditions, in general, are federally enforceable

Fees - requires the permittee to pay any required fees

Monitoring, Related Recordkeeping and Reporting Requirements - requires all compliance monitoring and recordkeeping to be conducted according to the terms and conditions of the permit and any Q/A requirements; any monitoring or support information is to be retained for minimum of 5 years.

Permit Revocation, Modification, Reopening, Reissuance or Termination and Associated Information Submission Requirements - specifies that the permit may be modified, revoked, reopened and reissued, or terminated for cause; and the permittee must furnish information regarding the permit to the department upon reasonable request

Permit Shield - sets forth criteria under which the permit shield applies and what authority the department maintains in pursuing violations

Property Rights - specifies that the permit does not convey any property rights

Reopening Cause - sets forth criteria and procedures for reopening a permit

Right to Inspect - establishes authority whereby department representatives may enter and inspect a facility

Severability - establishes that the permit continues to be valid in instances where any provisions, parts or conditions of the permit are found to be invalid or are the subject of a challenge

6NYCRR Part 201-6.5(e)

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

6NYCRR Part 201-6.5(g)

Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the federally enforceable portion of the permit, unless they are specifically addressed by it.

6NYCRR Part 202-1.1

Specifies that emissions tests may be required to ascertain compliance with any air pollution codes and rules.

6NYCRR Part 202-2.1



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

6NYCRR Part 202-2.5

Specifies the emission statement records that must be maintained for a 5 year period.

6NYCRR Part 211-.2

General air pollution prohibition

6 NYCRR Part 211.3

Restricts the opacity of visible emissions from any air contamination source.

6 NYCRR Part 215

Prohibits open fires at industrial and commercial sites.

40 CFR Part 82, Subpart F

Requires affected permittees to comply with the recycling and emissions reduction standards specified by this rule when using ozone depleting substances identified under Title VI of the Act. Specifically, these regulations apply to the following persons or activities:

- a. Persons opening appliances for maintenance, service, repair, or disposal
- b. Equipment used during the maintenance, service, repair, or disposal of appliances
- c. Persons performing maintenance, service, repair, or disposal of appliances
- d. Persons disposing of small appliances, motor vehicle air conditioners or MVAC's, and MVAC-like appliances
- e. Persons owning commercial or industrial process refrigeration equipment
- f. Owners/operators of appliances normally containing 50 or more pounds.

If applicable, the above persons or activities may be required to comply with certain disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, RIVERBAY CORP-CO-OP CITY has been determined to be subject to the following regulations:

40CFR 60-Db.49b

This rule specifies the reporting and recordkeeping requirements for affected steam generating units.

6NYCRR 200.1

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This section contains a definition of terms referred to throughout New York's entire codes, rules and regulations.

6NYCRR 200 .3

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

6NYCRR 201-1.10 (a)

The department must make available any records regarding compliance with operational flexibility and/or emission capping requirements in accordance with Part 616 - Public Access to Records. Owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

6NYCRR 201-6.5 (c) (3) (ii)

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

6NYCRR 225-1.2 (a)

This regulation sets the limits for sulfur in fuel being burned at stationary sources in New York State with a heat input greater than 250 million BTU per hour. The limits are: for oil - 0.75% by weight; for coal - 0.60 pounds of sulfur per million BTU. This limit applies to facilities that submitted permit applications after March 15, 1973 and are not located in New York City, Nassau, Rockland or Westchester counties.

6NYCRR 225-1.8

This regulation requires an owner or operator of a facility which purchases and fires coal and/or oil to submit reports to the commissioner containing fuel analysis data, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1.

6NYCRR 227-1.2 (a) (1)

This regulation establishes a particulate emission limit in terms of lbs per mmBtu of heat input for stationary combustion units of greater than 250 mmBtu/hr heat input capacity which fire coal, oil, or coal derived fuels.

6NYCRR 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6NYCRR 227-1.4

Subdivisions (a) and (f) of this section (227-1.4) have not been approved by EPA and have not been included in the NYS SIP.

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6NYCRR 227-1.4 (a)

Subdivisions (a) and (f) of this section (227-1.4) have not been approved by EPA and have not been included in the NYS SIP.

6NYCRR 227-1.4 (b)

This regulation requires the specific contents of excess emissions reports for opacity from facilities that employ continuous opacity monitors (COMs).

6NYCRR 227-2.

This regulation limits the emission of oxides of nitrogen (NOx) from stationary combustion installations (boilers, combustion turbines and internal combustion engines).

6NYCRR 227-2.4 (a)

This condition lists the emission limitations for very large boilers.

6NYCRR 227-2.6 (a) (1)

This regulation establishes the monitoring requirements for NOx RACT affected very large boilers (boilers with a heat input of greater than 250 mmBtu/hr).

6NYCRR 227-2.6 (b)

Any owner or operator of a combustion source subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and either is required or opts to employ a continuous emissions monitoring system (CEMS) must:

- 1) Submit a CEMS monitoring plan for approval by the Department,
- 2) Submit a CEMS certification protocol,
- 3) Meet CEMS monitoring requirements as detailed in this paragraph of this subdivision, and
- 4) Meet CEMS recordkeeping and reporting requirements as detailed in this paragraph of this subdivision.

6NYCRR 227-2.6 (b) (1)

Any owner or operator of a combustion source subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and either is required or opts to employ a continuous emissions monitoring system (CEMS) must:

- 1) Submit a CEMS monitoring plan for approval by the Department,
- 2) Submit a CEMS certification protocol,
- 3) Meet CEMS monitoring requirements as detailed in this paragraph of this subdivision, and
- 4) Meet CEMS recordkeeping and reporting requirements as detailed in this paragraph of this subdivision.

6NYCRR 227-2.6 (b) (2)

Any owner or operator of a combustion source subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and either is required or opts to employ a continuous emissions monitoring system (CEMS) must:

- 1) Submit a CEMS monitoring plan for approval by the Department,
- 2) Submit a CEMS certification protocol,
- 3) Meet CEMS monitoring requirements as detailed in this paragraph of this subdivision, and
- 4) Meet CEMS recordkeeping and reporting requirements as detailed in this paragraph of this subdivision.



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6NYCRR 227-2.6 (b) (3)

Any owner or operator of a combustion source subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and either is required or opts to employ a continuous emissions monitoring system (CEMS) must:

- 1) Submit a CEMS monitoring plan for approval by the Department,
- 2) Submit a CEMS certification protocol,
- 3) Meet CEMS monitoring requirements as detailed in this paragraph of this subdivision, and
- 4) Meet CEMS recordkeeping and reporting requirements as detailed in this paragraph of this subdivision.

6NYCRR 227-2.6 (b) (3) (i)

This rule specifies the data averaging requirements for continuous emissions monitors (CEM) of oxides of nitrogen (NOx) for sources subject to this requirement.

6NYCRR 227-2.6 (b) (4)

Any owner or operator of a combustion source subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and either is required or opts to employ a continuous emissions monitoring system (CEMS) must:

- 1) Submit a CEMS monitoring plan for approval by the Department,
- 2) Submit a CEMS certification protocol,
- 3) Meet CEMS monitoring requirements as detailed in this paragraph of this subdivision, and
- 4) Meet CEMS recordkeeping and reporting requirements as detailed in this paragraph of this subdivision..

6NYCRR 231-2.

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

Non Applicability Analysis

List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Short Description	Regulation
FACILITY	Prevention of Significant Deterioration	40CFR 52-A.21
Reason: A letter from Ms. Eliza Dolin representing Dewey Ballantine, the attorney for Riverbay Corp Co-Op City was written to Ms. Laurianne Silberfeld, the attorney for DEC was dated and received on 4-15-1994. In the letter, Riverbay notifies DEC of the reactivation of its dual-firing capabilities and therefore Riverbay should not be subject to NSPS, 40 CFR 60 D (Fossil-Fuel Fired Steam Generators) or 40 CFR 60 Db (Industrial-Commercial-Institutional Steam Generating Units) because the maximum capacity of the boilers to emit regulated pollutants before and after the change will remain the same. The notification of the change to dual-fuel boilers falls under 40 CFR 60 Db 49b, reporting and recordkeeping requirements. Moreover, Riverbay believes that it can fairly be said that the "affected facility" itself - the boilers - will not be modified so much in connection with reactivation of dual-firing, but instead as a result of DEC's mandated NOx RACT upgrades. Once NOx RACT is installed, Riverbay will be required to meet more stringent limitations than those imposed by the		



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0applicable NSPS.

Riverbay's boilers were actually operated in dual-firing mode prior to 1980. Federal regulations for the PSD review and the non-attainment NSR program provides that a "modification" does not include the use of an alternative fuel where the source was capable of accomodating that fuel before 1975 (in the case of PSD) or 1976 (in the case of nonattainment NSR). Riverbay' boilers were capable of firing natural gas before 1975. Therefore, Riverbay should not be required to undergo PSD or non-attainment NSR in connection with this project.

The facility has submitted the annual total NOx emissions for the last ten (10) years from 1990 to 1999 and it shows that the annual total NOx emissions has been cut in half since the facility switched from residual oil to natural gas and residual oil in 1995 (reactivation of its dual firing capability). Please see the non-applicability of 6 NYCRR 231-2 in this permit.

Therefore, the facility is NOT subject to a prevention of significant deterioration (PSD) of air quality regulations.

FACILITY New Source review in 6NYCRR 231-2. Nonattainment areas and OTR-Guidance for the permit reviewer.

Reason: The New Source Review in Non-attainment areas, 6NYCRR 231-2 is non-applicable to this facility. The facility switched fuels in 1995, from # 6 fuel oil to natural gas and # 6 fuel oil (reactivation of its dual firing capability). The annual emissions of NOx has declined from 800,000 lb/yr in 1994 to 330,000 lb/yr in 1999. The annual emissions of NOx for the last ten (10) years are as follows:

Table with 3 columns: Year (gal/yr), Oil Consumption (lb/yr), NOx in Oil. Rows for years 1990-1999.

Table with 4 columns: Year, Gas Consumption (cu ft/yr), NOx in Total NOx (lb), and NOx in Oil (lb). Rows for years 1990-1999.



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As a result of the declining NOx emissions, the New Source Review 6 NYCRR 231-2 is non-applicable to this facility.

U-00001 New Source review in 6NYCRR 231-2. Nonattainment areas and OTR-Guidance for the permit reviewer.

Reason: The New Source Review in Non-attainment areas, 6NYCRR 231-2 is non-applicable to this facility. The facility switched fuels in 1995, from # 6 fuel oil to natural gas and # 6 fuel oil (reactivation of its dual firing capability). The annual emissions of NOx has declined from 800,000 lb/yr in 1994 to 330,000 lb/yr in 1999. The annual emissions of NOx for the last ten (10) years are as follows:

Table with 3 columns: Year (gal/yr), Oil Consumption (lb/yr), NOx in Oil (lb/yr). Rows for years 1990-1999.

Table with 4 columns: Year, Gas Consumption (cu ft/yr), NOx in Total NOx (lb/yr), and another NOx column. Rows for years 1990-1999.

As a result of the declining NOx emissions, the New Source Review 6 NYCRR 231-2 is non-applicable to this facility.

U-00002 New Source review in 6NYCRR 231-2. Nonattainment areas and OTR-Guidance for the permit reviewer.

Reason: The New Source Review in Non-attainment areas, 6NYCRR 231-2 is non-applicable to this facility. The facility switched fuels in 1995, from # 6 fuel oil to natural gas and # 6 fuel oil (reactivation of its dual firing capability). The annual emissions of NOx has declined from 800,000 lb/yr in 1994 to 330,000 lb/yr in 1999. The annual emissions of NOx for the last ten (10) years are as follows:

Table with 3 columns: Year, Oil Consumption, NOx in Oil.



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(gal/yr)	(lb/yr)	(lb/yr)
1990	12,658,953	738,943
1991	13,366,043	780,218
1992	13,732,694	801,621
1993	13,355,925	779,628
1994	13,723,771	801,100
1995	10,007,136	365,093
1996	487,114	17,771
1997	1,280,611	46,721
1998	12,054	440
1999	0	0

Year Gas Consumption NOx in Total NOx

Gas Consumption (cu ft/yr)	(lb/yr)	(lb)
1990	0	0 738,943
1991	0	0 780,218
1992	0	0 801,621
1993	0	0 779,628
1994	0	0 801,100
1995	316,261,250	65,782 430,875
1996	1,625,167,788	338,035 355,806
1997	1,428,305,769	297,088 343,809
1998	1,507,385,096	313,536 313,976
1999	1,578,477,019	328,323 328,323

As a result of the declining NOx emissions, the New Source Review 6 NYCRR 231-2 is non-applicable to this facility.

U-00003 New Source review in 6NYCRR 231-2. Nonattainment areas and OTR-Guidance for the permit reviewer.

Reason: The New Source Review in Non-attainment areas, 6NYCRR 231-2 is non-applicable to this facility. The facility switched fuels in 1995, from # 6 fuel oil to natural gas and # 6 fuel oil (reactivation of its dual firing capability). The annual emissions of NOx has declined from 800,000 lb/yr in 1994 to 330,000 lb/yr in 1999. The annual emissions of NOx for the last ten (10) years are as follows:

Year (gal/yr)	Oil Consumption (lb/yr)	NOx in Oil (lb/yr)
1990	12,658,953	738,943
1991	13,366,043	780,218
1992	13,732,694	801,621
1993	13,355,925	779,628
1994	13,723,771	801,100
1995	10,007,136	365,093
1996	487,114	17,771
1997	1,280,611	46,721



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Table with columns: Year, Gas Consumption (cu ft/yr), NOx in Total NOx (lb/yr). Rows for years 1998-1999 and 1990-1999.

As a result of the declining NOx emissions, the New Source Review 6 NYCRR 231-2 is non-applicable to this facility.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.5(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement.

Compliance Certification

Summary of monitoring activities at RIVERBAY CORP-CO-OP CITY:

Table with columns: Location Facility/EU/EP/Process/ES, Type of Monitoring, Cond No. Rows list various monitoring activities and their corresponding condition numbers.

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U-00002/00002	parameters as surrogate monitoring of process or control device	62
U-00003/00003	parameters as surrogate monitoring of process or control device	78
U-00001/00001	parameters as surrogate continuous emission monitoring (cem)	97
U-00002/00002	continuous emission monitoring (cem)	100
U-00003/00003	continuous emission monitoring (cem)	103
U-00001/00001	continuous emission monitoring (cem)	98
U-00001/00001	continuous emission monitoring (cem)	99
U-00002/00002	continuous emission monitoring (cem)	101
U-00002/00002	continuous emission monitoring (cem)	102
U-00003/00003	continuous emission monitoring (cem)	104
U-00003/00003	continuous emission monitoring (cem)	105
U-00001/00001	record keeping/maintenance procedures	47
U-00002/00002	record keeping/maintenance procedures	63
U-00003/00003	record keeping/maintenance procedures	79
U-00001/00001/001/00001	continuous emission monitoring (cem)	58
U-00001/00001/002/00001	continuous emission monitoring (cem)	60
U-00002/00002/003/00002	continuous emission monitoring (cem)	74
U-00002/00002/004/00002	continuous emission monitoring (cem)	76
U-00003/00003/005/00003	continuous emission monitoring (cem)	90
U-00003/00003/006/00003	continuous emission monitoring (cem)	92
FACILITY	monitoring of process or control device	38
FACILITY	parameters as surrogate monitoring of process or control device	39
U-00001/00001	parameters as surrogate continuous emission monitoring (cem)	48
U-00001/00001	continuous emission monitoring (cem)	49
U-00002/00002	continuous emission monitoring (cem)	64
U-00002/00002	continuous emission monitoring (cem)	65
U-00003/00003	continuous emission monitoring (cem)	80
U-00003/00003	continuous emission monitoring (cem)	81
U-00001/00001	monitoring of process or control device	50
U-00002/00002	parameters as surrogate monitoring of process or control device	66
U-00003/00003	parameters as surrogate monitoring of process or control device	82
U-00001/00001	parameters as surrogate record keeping/maintenance procedures	51
U-00002/00002	record keeping/maintenance procedures	67
U-00003/00003	record keeping/maintenance procedures	83
U-00001/00001	record keeping/maintenance procedures	52
U-00002/00002	record keeping/maintenance procedures	68
U-00003/00003	record keeping/maintenance procedures	84
U-00001/00001	record keeping/maintenance procedures	53
U-00002/00002	record keeping/maintenance procedures	69
U-00003/00003	record keeping/maintenance procedures	85
U-00001/00001	record keeping/maintenance procedures	54
U-00002/00002	record keeping/maintenance procedures	70
U-00003/00003	record keeping/maintenance procedures	86
FACILITY	record keeping/maintenance procedures	40
U-00001/00001	record keeping/maintenance procedures	55
U-00002/00002	record keeping/maintenance procedures	71
U-00003/00003	record keeping/maintenance procedures	87
U-00001/00001/001/00001	monitoring of process or control device	59
U-00002/00002/003/00002	parameters as surrogate monitoring of process or control device	75
U-00003/00003/005/00003	parameters as surrogate monitoring of process or control device	91
	parameters as surrogate	

Basis for Monitoring

Condition # 27 - 6NYCRR Part 201-6.5(c)(3)(ii): This is a facility-wide condition. This condition specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

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Condition # 28 - 6NYCRR Part 201-6.5(e): This is a facility-wide condition. This condition specifies the overall permit requirements for compliance certification, including emission limitations, standards or work practices.

Condition # 32 - 6NYCRR Part 202-2.1: This is a facility-wide condition. This condition sets forth the applicability criteria for submitting an annual statement of emissions. The criteria is based on annual emission threshold quantities and ozone attainment designation. This condition is a requirements for all Title V facilities. These facilities must submit an annual emission statement by April 15th of each year.

Condition # 36 - 6NYCRR 225-1.8: This is a facility-wide condition. This condition requires any owner or operator of a facility which purchases and fires coal and/or oil to submit reports to the commissioner containing fuel analysis data, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1.

Conditions # 37, 46, 62, 78 - 6NYCRR 227-1.3(a): These conditions are for monitoring smoke emission limitations as surrogate of opacity of 20 % using a continuous opacity monitor (COM). These conditions are facility level, emission unit level and process level for monitoring conditions as follow:

Condition # 37 - Facility

Condition # 46 - EU-00001, EP 00001

Condition # 62 - EU-00002, EP 00002

Condition # 78 - EU-00003, EP 00003

These conditions prohibit any person from operating a stationary combustion installation which emits smoke equal to or greater than 20 % opacity except for one six-minute period per hour of not more than 27 % opacity. These conditions are based upon the six minute average utilizing a continuous opacity monitor (COM).

Conditions # 38, 39, 48, 49, 64, 65, 80 & 81 - 6 NYCRR 227-2.4(a) These conditions list the control requirements (NOx RACT) of Oxides of Nitrogen and emission limitations for very large boilers (boilers with a heat input of greater than 250 mmBtu/hr) which is 0.30 lbs/mm Btu for oil/gas. But, Riverbay was able to achieve a NOx RACT of Oxides of Nitrogen for each of the three boilers of 0.25 lbs/MM Btu for oil/gas through Continuous Emission Monitoring (CEM). These conditions are facility level, emission unit level and process level for monitoring conditions as follow:

Condition # 38 - Facility

Condition # 39 - Facility

Condition # 48 - EU-00001, EP 00001

Condition # 49 - EU-00001, EP 00001

Condition # 64 - EU-00002, EP 00002

Condition # 65 - EU-00002, EP 00002

Condition # 80 - EU-00003, EP 00003

Condition # 81 - EU-00003, EP 00003

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Conditions # 40 - 6 NYCRR 227-2.6(b)(3)(i): This is a facility-wide condition. This condition specifies calculating the 24-hour daily heat input weighted average NOx emission rates in pounds of NOx per million Btu by using data generated by the CEMS (Continuous Emission Monitors) monitoring average requirements. The facility will demonstrate compliance with the appropriate emission limit for oil/gas under section 227-2.4 for CEMS of Oxides of Nitrogen (NOx) for sources subject to this requirement (Boilers 00001, 00002 & 00003).

Condition # 41 - 40 CFR 60.49b, NSPS, Subpart Db: This is a facility-wide condition. This condition specifies the reporting and recordkeeping requirements for affected steam generating units.

Conditions # 45, 61 & 77 - 6 NYCRR 201-6: This rule is required in all Title V Permits. The subparts of 201-6 contain the requirements and the mandatory permit conditions to be applied to any Title V permit. The following conditions are emission unit level and emission point level for monitoring conditions:

Condition # 45 - EU-00001, EP 00001 - The Upper limit of Number 6 fuel oil is 22.12 million gal/yr in Boiler 0001

Condition # 61 - EU-00002, EP 00002 - The Upper limit of Number 6 fuel oil is 22.12 million gal/yr in Boiler 0002

Condition # 77 - EU-00003, EP 00003 - The Upper limit of Number 6 fuel oil is 22.45 million gal/yr in Boiler 0003

Boiler 00001 shall not exceed 22.12 million gallons/yr of # 6 residual oil or, a quantity of natural gas with an equivalent heating value as the 22.12 million gallons of # 6 fuel oil.

Boiler 00002 shall not exceed 22.12 million gallons/yr of # 6 residual oil or, a quantity of natural gas with an equivalent heating value as the 22.12 million gallons of # 6 fuel oil.

Boiler 00003 shall not exceed 22.12 million gallons/yr of # 6 residual oil or, a quantity of natural gas with an equivalent heating value as the 22.45 million gallons of # 6 fuel oil.

Condition # 47, 63, 79 - 6 NYCRR 227-1.4(b): This regulation requires the specific contents of excess emissions reports for opacity from facilities that employ continuous opacity monitors (COMS). These conditions are emission unit level and emission point level for monitoring conditions as follow:

Condition # 47 - EU-00001, EP 00001

Condition # 63 - EU-00002, EP 00002

Condition # 79 - EU-00003, EP 00003

Any facility required to operate a Continuous Opacity Monitoring System (COMS) for stack monitoring in accordance with subsection 227-1.4(a) shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

1. The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27

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percent;

2. For each period of excess emission, specific identification of the cause and corrective action taken;
3. Identification of all periods of COMS downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS downtime period;
4. The total time in which the COMS are required to record data during the reporting period;
5. The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data.

Conditions # 48, 49, 64, 65, 80 & 81 - 6 NYCRR 227-2.4(a) These conditions are control requirements for very large boilers (boilers with a heat input of greater than 250 mmBtu/hr) to comply with the NOx emission limit of 0.30 pounds per million Btu for oil/gas. But, Riverbay was able to achieve a NOx RACT of Oxides of Nitrogen for each of the three boilers of 0.25 lbs/MM Btu for oil/gas through Continuous Emission Monitoring (CEM).

These control requirement conditions are emission unit level and emission point level for monitoring conditions as follow:

- Condition # 48 - EU-00001, EP 00001
- Condition # 49 - EU-00001, EP 00001
- Condition # 64 - EU-00002, EP 00002
- Condition # 65 - EU-00002, EP 00002
- Condition # 80 - EU-00003, EP 00003
- Condition # 81 - EU-00003, EP 00003

Condition # 50, 66, 82 - 6 NYCRR 227-2.6(a)(1): These conditions establish the testing, monitoring and reporting requirements for NOx RACT affected very large boilers (boilers with a heat input of greater than 250 mmBtu/hr). The facility shall measure NOx emissions with a continuous monitoring system (CEMS). These conditions are emission unit level and emission point level for testing, monitoring and reporting requirements as follow:

- Condition # 50 - EU-00001, EP 00001
- Condition # 66 - EU-00002, EP 00002
- Condition # 82 - EU-00003, EP 00003

Condition # 51, 67 & 83 - 6 NYCRR 227-2.6(b): These conditions are CEMS requirements for very large boilers (boilers with a heat input of greater than 250 mmBtu/hr) and are for complying with the NOx emission limit. This facility has a combustion source and is subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and is required to employ a continuous emissions monitoring system (CEMS) (if not in place already) and must:

1. Submit a CEMS monitoring plan for approval by the Department,
2. Submit a CEMS certification protocol,
3. Meet CEMS monitoring requirements as detailed in this paragraph of this subdivision, and
4. Meet CEMS recordkeeping and reporting requirements as detailed in this paragraph of this subdivision.

These conditions are emission unit level and emission point level for recordkeeping requirements as



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follow:

Condition # 51 - EU-00001, EP 00001
Condition # 67 - EU-00002, EP 00002
Condition # 83 - EU-00003, EP 00003

Condition # 52, 68, 84 - 6 NYCRR 227-2.6(b)(1): These conditions are CEMS requirements for very large boilers (boilers with a heat input of greater than 250 mmBtu/hr) and are for complying with the NOx emission limit. This facility has a combustion source and is subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and is required to employ a continuous emissions monitoring system (CEMS) (if not in place already) and must:

1. Submit a CEMS monitoring plan for approval by the Department.

These conditions are emission unit level and emission point level for recordkeeping requirements as follow:

Condition # 52 - EU-00001, EP 00001
Condition # 68 - EU-00002, EP 00002
Condition # 84 - EU-00003, EP 00003

Condition # 53, 69 & 85 - 6 NYCRR 227-2.6(b)(2): These conditions are CEMS requirements for very large boilers (boilers with a heat input of greater than 250 mmBtu/hr) and are for complying with the NOx emission limit. This facility has a combustion source and is subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and is required to employ a continuous emissions monitoring system (CEMS) (if not in place already) and must:

2. Submit a CEMS certification protocol.

These conditions are emission unit level and emission point level for recordkeeping requirements as follow:

Condition # 53 - U-00001, EP 00001
Condition # 69 - U-00002, EP 00002
Condition # 85 - U-00003, EP 00003

Condition # 54, 70, 86 - 6 NYCRR 227-2.6(b)(3): These conditions are CEMS requirements for very large boilers (boilers with a heat input of greater than 250 mmBtu/hr) and are for complying with the NOx emission limit. This facility has a combustion source and is subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and is required to employ a continuous emissions monitoring system (CEMS) (if not in place already) and must:

3. Meet CEMS monitoring requirements as detailed in this paragraph of this subdivision.

These conditions are emission unit level and emission point level for recordkeeping requirements as follow:

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Condition # 54 - EU-00001, EP 00001

Condition # 70 - EU-00002, EP 00002

Condition # 86 - EU-00003, EP 00003

Condition # 55, 71, 87 - 6 NYCRR 227-2.6(b)(4): These conditions are CEMS requirements for very large boilers (boilers with a heat input of greater than 250 mmBtu/hr) and are for complying with the NOx emission limit. This facility has a combustion source and is subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and is required to employ a continuous emissions monitoring system (CEMS) (if not in place already) and must:

4. Meet CEMS recordkeeping and reporting requirements as detailed in this paragraph of this subdivision.

These conditions are emission unit level and emission point level for recordkeeping requirements as follow:

Condition # 55 - EU-00001, EP 00001

Condition # 71 - EU-00002, EP 00002

Condition # 87 - EU-00003, EP 00003

Conditions # 56, 72 & 88 - 6NYCRR 225-1.2(a): These conditions limit the SO2 emissions from the facility by limiting the sulfur in fuel. These conditions prohibit any person from selling, offering for sale, purchasing or using any fuel which contains sulfur in a quantity exceeding the limitations of 0.30% by weight for residual distillate fuel oil (# 6 fuel oil). The sulfur content must be determined by the seller. The facility must maintain a log of the sulfur content of oils on a per delivery basis.

These conditions are emission unit level, emission point level and process level for recordkeeping requirements as follow:

Condition 56 EU-00001 EP 00001 Proc 001 ES 00001

Condition 72 EU-00002 EP 00002 Proc 003 ES 00002

Condition 88 EU-00003 EP 00003 Proc 005 ES 00003

Condition # 57, 73 & 89 - 6NYCRR 227-1.2(a)(1): These conditions limit the particulates emissions from liquid fuels to 0.1 pounds per million Btus from any stationary combustion installation with a maximum heat input capacity exceeding 250 million Btu per hour using liquid fuel oil. This is equivalent to particulate emission limit of 37.1 pounds per hour for Boilers 00001 and 00002 which have a heating capacity of 371 mm Btu/hr each and for Boiler 00003 which has a heating capacity of 377 mm Btu/hr. Riverbay Corporation would rely on "continuous opacity monitoring (COMS)" as a surrogate indication of compliance with particulates emission limit.

These conditions are emission unit level, emission point level, process level and emission source level for continuous emission monitoring (CEM) requirements as follow:

Condition 57 EU-00001, EP 00001 Proc 001, ES 00001



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Condition 73 EU-00002, EP 00002 Proc 003, ES 00002

Condition 89 EU-00003, EP 00003 Proc 005, ES 00003

Conditions # 58, 60, 74, 76, 90 & 92 - 6NYCRR 227-2 These conditions are for reasonably available control technology for NOx (NOx RACT). These conditions limit the emission of oxides of nitrogen (NOx) from stationary combustion installation (boilers) at the facility using continuous emission monitoring (CEM) of NOx for Boilers 00001, 00002 and 00003. The NOx emissions may not exceed 0.25 pounds per million Btus for oil/gas for Boilers 00001, 00002 or 00003. The averaging method to be used is the 24 hour average and it is to be calculated on a daily basis.

These conditions are emission unit level, emission point level, process level and emission source level for continuous emission monitoring (CEM) requirements as follow:

- Condition # 58 EU-00001, EP 00001, Proc 001, ES 00001
- Condition # 60 EU-00001, EP 00001, Proc 002, ES 00001
- Condition # 74 EU-00002, EP 00002, Proc 003, ES 00002
- Condition # 76 EU-00002, EP 00002, Proc 004, ES 00002
- Condition # 90 EU-00003, EP 00003, Proc 005, ES 00003
- Condition # 92 EU-00003, EP 00003, Proc 006, ES 00003

Condition # 59, 75 & 91 - 6 NYCRR 231-2: These conditions are for this modified major facility to cap out of New Source Review in Non-attainment Areas and Ozone Transport Region for oxides of nitrogen (NOX) by limiting the fuel usage (# 6 residual fuel oil and natural gas) in Boilers 00001, 00002 and 00003.

These conditions are emission unit level, emission point level, process level and emission source level monitoring of the # 6 residual fuel oil process requirements as follow:

- Condition # 59 EU-00001, EP 00001, Proc 001, ES 00001
- Condition # 75 EU-00002, EP 00002, Proc 003, ES 00002
- Condition # 91 EU-00003, EP 00003, Proc 005, ES 00003

Boiler 00001 may not exceed 22.12 million gallons/yr of # 6 residual fuel oil or a quantity of natural gas with an equivalent BTU heating value as 22.12 million gallons /yr (based on a daily rolling total).

Boiler 00002 may not exceed 22.12 million gallons/yr of # 6 residual fuel oil or a quantity of natural gas with an equivalent BTU heating value as 22.12 million gallons /yr (based on a daily rolling total).

Boiler 00003 may not exceed 22.45 million gallons/yr of # 6 residual fuel oil or a quantity of natural gas with an equivalent BTU heating value as 22.45 million gallons /yr (based on a daily rolling total).

Conditions # 97, 100 & 103 - 6 NYCRR 227-1.4: These conditions are for stack monitoring of opacity. These conditions are for Continuous Emission Monitoring (CEM) requirements for very large boilers (with a total maximum heat input capacity exceeding 250 million Btu per hour). The facility is required to install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments for continuously monitoring and recording opacity using a Continuous Opacity Monitor



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System (COMS), and when either sulfur dioxide and/or nitrogen oxide continuous monitoring is required, then the percent oxygen and/or carbon dioxide in the flue gases from Boilers 00001, 00002 and 00003 are required to be continuously monitored and recorded at all times that the boilers are in service. Where gas is the only fuel burned, monitoring and recording of opacity is not required.

The facility is required to operate a Continuous Opacity Monitoring System (COMS) in accordance with subsection 227-1.4(a) shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

1. The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27 percent;
2. For each period of excess emission, specific identification of the cause and corrective action taken;
3. Identification of all periods of COMS downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS downtime period;
4. The total time in which the COMS are required to record data during the reporting period;
5. The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data.

The Continuous Opacity Monitoring for Boilers 00001, 00002 and 00003 are a surrogate indication of compliance with particulates emission limits. The particulate emission limit will not exceed 0.1 pounds per million Btus for an averaging method of 1-hour average for singular boilers (Boilers 00001, 00002 and 00003), which fire liquid fuels, and that have a heat capacity exceeding 250 mm Btu/hr. The opacity (smoke emission) limit from Boilers 00001, 00002 or 00003 will not exceed 20 % using a continuous opacity monitor (COM).

These conditions are emission unit level and emission point level for continuous opacity monitoring system requirements as follow:

Condition # 97 - EU-00001, EP 00001
Condition # 100 - EU-00002, EP 00002
Condition # 103 - EU-00003, EP 00003

Conditions # 98, 99, 101, 102, 104 & 105 - 6 NYCRR 227-1.4(a): These conditions are for stack monitoring of Carbon Dioxide and Oxygen O₂. These conditions are for Continuous Emission Monitoring (CEM) requirements for very large boilers (with a total maximum heat input capacity exceeding 250 million Btu per hour). The facility is required to install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments for continuously monitoring and recording opacity, and when either sulfur dioxide and/or nitrogen oxide continuous monitoring is required, then the percent oxygen and/or carbon dioxide in the flue gases from Boilers 00001, 00002 and 00003 are required to be continuously monitored and recorded at all times that the boilers are in service. Where gas is the only fuel burned, monitoring and recording of opacity is not required.

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These conditions are emission unit level and emission point level for continuous emission monitoring requirements as follow:

Condition # 98	- EU-00001,	EP 00001	for lower limit of 99% of Carbon Dioxide
Condition # 99	- EU-00001,	EP 00001	for lower limit of 99% of Oxygen O2
Condition # 101	- EU-00002,	EP 00002	for lower limit of 99% of Carbon Dioxide
Condition # 102	- EU-00002,	EP 00002	for lower limit of 99% of Oxygen O2
Condition # 104	- EU-00003,	EP 00003	for lower limit of 99% of Carbon Dioxide
Condition # 105	- EU-00003,	EP 00003	for lower limit of 99% of Oxygen O2