



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 2-6005-00011/00004

Renewal Number: 2

05/03/2011

Facility Identification Data

Name: NYC-HH - JACOBI MEDICAL CTR

Address: 50 EASTCHESTER RD & PELHAM PKWY SOUTH
BRONX, NY 10461

Owner/Firm

Name: NYC HEALTH & HOSPITALS CORP

Address: 125 WORTH STREET

NEW YORK, NY 10013-4006, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

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Air Permitting Contact:

Name: ARTHUR WANEK

Address: JACOBI MEDICAL CENTER

1400 PELHAM PARKWAY SOUTH

BRONX, NY 10461

Phone:7189183913

Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

Application for renewal of Air Title V Facility.

The project consists of the Title V renewal #2 with incorporation of four (4) previously exempt boilers.



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These four boilers consist of two (2) Weil-McClain boilers, 4.47 MM Btu/hr each (Emission Sources ES021 and ES022) and two (2) small York Shipley boilers, 1.68 MM Btu/hr each (Emission Sources ES023 and ES024). These four boilers collectively are Emission Unit U-00004.

The two 4.47 MM Btu/hr each Weil-McClain and the two 1.68 MM Btu/hr each York Shipley boilers have been re-designated as "small" regulated boilers from exempt boilers. Also, the four (4) previously "small" 30 MM Btu/hr Johnston Pftar boilers (Emission Sources ES001, ES002, ES003 & ES004) in Emission Unit U-00001 have been re-designated as "mid-size" regulated boilers.

Small boiler is defined as a boiler with a maximum heat input capacity greater than 1 million Btu per hour and equal to or less than 25 million Btu per hour.

Mid-size boiler is defined as a boiler with a maximum heat input capacity greater than 25 million Btu per hour and equal to or less than 100 million Btu per hour.

Attainment Status

NYC-HH - JACOBI MEDICAL CTR 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 (SO2)	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

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

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

Facility Description:

This is a Title V renewal and modification to the Title V permit for NYC-HH - Jacobi Medical Center, DEC ID # 2-6005-00011/00004 that was issued on 11/07/2005. The facility has not made any changes to their existing plant in terms of emission sources or processes in the past five (5) years. Jacobi Medical Center (JMC) owns and operates four (4) 30 MM Btu/hr each Johnston Pftar Boilers, two (2) EtO Amsco Eagle sterilizers, two (2) 10.46 MM Btu/hr each York Shipley boilers, two (2) 4.47 MM Btu/hr each Weil-McClain, two (2) 1.68 MM Btu/hr each York Shipley boilers, nine (9) emergency generators, two (2) fuel oil storage tanks, and one fume hood.

The facility includes the following emission sources:

- (i) Four re-designated as "mid-size" boilers from "small" boilers, rated at 30 MM Btu/hr each Johnston Pftar boilers - Emission Sources ES001, ES002, ES003 & ES004 at the Jacobi Main Building, operating



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on both natural gas and # 2 fuel oil, and

(ii) Two 10.46 MM Btu/hr each York Shipley boilers - Emission Sources S0010 & S0011 at the Ambulatory Building, operating on natural gas only, and

(iii) Four re-designated as "small" boilers from "exempt" boilers each (less than 10 MM Btu/hr):

(a) Two 4.47 MM Btu/hr each Weil-McLain boilers - Emission Sources ES021 & ES022 at the Store House, operating on both, natural gas and # 2 fuel oil, and

(b) Two 1.68 MM Btu/hr each York Shipley boilers - Emission Sources ES023 & ES024 at the Staff House, operating on both, natural gas and # 2 fuel oil.

(iv) Two EtO AMSCO Eagle 3017 sterilizers (one replacement and the other is new) and one new abator - Emission Sources/Control ES007, ES008 & ES009 at the Sterile Building.

The facility operates other sources which are considered exempt from permitting in accordance with 6 NYCRR 201-3.2(c), including nine diesel-fired emergency power generators (<500 hours/yr), two distillate fuel oil storage tanks with storage capacities <300,000 bbls; one is in the Store House Building and the other one is in the Staff House Building, and one ventilating and exhaust system for laboratory operations. Four of the emergency generators are located in Building #1, three are located in Building #6, one is located in Building #5, and the last emergency generator is located in Building #8.

Permit Structure and Description of Operations

The Title V permit for NYC-HH - JACOBI MEDICAL CTR

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.

NYC-HH - JACOBI MEDICAL CTR is defined by the following emission unit(s):

Emission unit U00001 - Emission Unit U-00001 consists of four Johnston Pftar boilers, 30 MM Btu/hr each (Emission Sources ES001, ES002, ES003 & ES004), operating on natural gas (Process NG1) and # 2 fuel oil (Process OL2). Three boilers are on at all times, and one boiler is on standby. Exhaust gases are discharged to the atmosphere via a common stack identified as Emission Point EP001.



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These Johnston Pftar boilers have been re-designated as "mid-size" boilers from "small" boilers. They are located in the New or #6 Building. A mid-size boiler is defined as a boiler with a maximum heat input capacity greater than 25 million Btu per hour and equal to or less than 100 million Btu per hour.

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

EP001

Process: NG1 is located at Building NEW - Process NG1 is when the four boilers (Emission Sources ES001, ES002, ES003 & ES004) in Emission Unit U-00001 fire natural gas. Exhaust gases are discharged to the atmosphere via a common stack identified as Emission Point EP001.

Process: OL2 is located at Building NEW - Process OL2 is when the four boilers (Emission Sources ES001, ES002, ES003 & ES004) in Emission Unit U-00001 fire #2 fuel oil. Exhaust gases are discharged to the atmosphere via a common stack identified as Emission Point EP001.

Emission unit U00002 - Emission Unit U-00002 consists of two (2) sterilizers (Emission Sources ES007 & ES008) equipped with an abator (Emission Control ES009). The sterilizers are connected to a common stack, identified as Emission Point EP002 and operates on Process ETO.

The two sterilizers are located in the Sterile or #1 Building.

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

EP002

Process: ETO is located at Main Floor - Sterile, Building STERILE - Two (2) sterilizers (Emission Sources ES007 & ES008) and one (1) abator (Emission Control ES009). The sterilizers and abator unit are installed at the Sterile Supply Building with stack identified as Emission Point EP002.

Emission unit U00003 - Emission Unit U-00003 consists of two (2) 10.46 MM Btu/hr each York Shipley boilers (Emission Sources S0010 & S0011), firing natural gas (Process NG2) only. Exhaust gases are discharged to the atmosphere via two separate stacks identified as Emission Points EP003 & EP004; respectively.

These two Shipley boilers remain as "small" boilers and are located in the Ambulatory or the Van Etten or #1 Building. Small boiler is defined as a boiler with a maximum heat input capacity greater than 1 million Btu per hour and equal to or less than 25 million Btu per hour.

Emission Sources S0010 and S0011 in the Ambulatory or the Van Etten or #1 Building will be capped at 105 million cubic feet of natural gas per year.

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

EP003, EP004



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Process: NG2 is located at Building AMB - Process NG2 is when the two 10.46 MM Btu/hr boilers each (Emission Sources S0010 & S0011) in Emission Unit U-0003 fire natural gas. Exhaust gases are discharged to the atmosphere via two separate stacks identified as Emission Points EP003 & EP004, respectively. These boilers are located in the Ambulatory or Van etten or #5 Building.

Emission Sources S0010 and S0011 in the Ambulatory or Van etten or #5 Building will be capped at 105 million cubic feet of natural gas per year.

Emission unit U00004 - Emission Unit U-00004 consists of two (2) Weil-McClain boilers, 4.47 MM Btu/hr each (Emission Sources ES021 and ES022), firing natural gas (Process NG3) and #2 fuel oil (Process OL3), and discharging emissions to a common stack at Emission Point EP005, and two (2) small York Shipley boilers, 1.68 MM Btu/hr each (Emission Sources ES023 and ES024), firing natural gas (Process NG3) and #2 fuel oil (Process OL3) and discharging emissions to a common stack at Emission Point EP006.

These four boilers have been re-designated as "small" regulated boilers from "exempt" boilers. Small boilers are defined as boilers rated between 1 and 25 MM Btu/hr of heat input. The Weil-McClain boilers are located in the Store House and the York Shipley boilers are located in the Staff House.

Emission unit U00004 is associated with the following emission points (EP):
EP005, EP006

Process: NG3 is located at Building STORE/STAF - Process NG3 is when the two 4.47 MM Btu/hr boilers each Weil-McClain boilers (Emission Sources ES021 & ES022), and two 1.68 MM Btu/hr each York Shipley boilers (Emission Sources ES023 and ES024) in Emission Unit U-0004 fire natural gas. Exhaust gases from the two (2) Weil-McClain boilers are discharged to the atmosphere via a common stack identified as Emission Point EP005. Exhaust gases from the two (2) York Shipley boilers are discharged to the atmosphere via a common stack identified as Emission Point EP006.

Small boiler is defined as a boiler with a maximum heat input capacity greater than 1 million Btu per hour and equal to or less than 25 million Btu per hour. These four boilers have been re-designated as "small" regulated boilers from "exempt" boilers

The two Weil-McClain boilers are located in the Store House and the two York Shipley boilers are located in the Staff House.

Emission Sources ES021 and ES022 in the Store House will be capped at a combined 12 million cubic feet of natural gas per year.

Emission Sources ES023 and ES024 in the Staff House will be capped at a combined 35 million cubic feet of natural gas per year.

Process: OL3 is located at Building STORE/STAF - Process OL3 is when the two 4.47 MM Btu/hr boilers each Weil-McClain boilers (Emission Sources ES021 & ES022), and the two 1.68 MM Btu/hr each York Shipley boilers (Emission Sources ES023 and ES024) in Emission Unit U-00004 fire #2 fuel oil. Exhaust gases from the two (2) Weil-McClain boilers are discharged to the atmosphere via a common stack identified as Emission Point EP005. Exhaust gases from the two (2) York Shipley boilers are



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discharged to the atmosphere via a common stack identified as Emission Point EP006.

Small boiler is defined as a boiler with a maximum heat input capacity greater than 1 million Btu per hour and equal to or less than 25 million Btu per hour. These four boilers have been re-designated as "small" regulated boilers from "exempt" boilers

The two Weil-McClain boilers are located in the Store House and the two York Shipley boilers are located in the Staff House.

Emission Sources ES021 and ES022 will be capped at a combined 0.009 million gallons of #2 fuel oil (distillate oil) per year.

Emission Sources ES023 and ES024 will be capped at a combined 0.003 million gallons of #2 fuel oil (distillate oil) per year.

Title V/Major Source Status

NYC-HH - JACOBI MEDICAL CTR is subject to Title V requirements. This determination is based on the following information:

NYC-HH - Jacobi Medical Center is a major facility because the potential emissions of nitrogen oxides is greater than the major source thresholds, which is 25 tons per year for nitrogen oxides.

Program Applicability

The following chart summarizes the applicability of NYC-HH - JACOBI MEDICAL CTR with regards to the principal air pollution regulatory programs:

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



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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 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.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of



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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

8062

GENERAL MEDICAL & SURGICAL HOSPITALS

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

1-03-005-02

EXTERNAL COMBUSTION BOILERS -
COMMERCIAL/INDUSTRIAL
COMMERCIAL/INSTITUTIONAL BOILER -
DISTILLATE OIL
10-100MMBTU/HR **

1-03-006-02

EXTERNAL COMBUSTION BOILERS -
COMMERCIAL/INDUSTRIAL
COMMERCIAL/INSTITUTIONAL BOILER - NATURAL
GAS

3-15-020-01

10-100 MMBtu/Hr
PHOTOGRAPHIC EQUIPMENT
HEALTH CARE - HOSPITALS
Sterilization w/ Ethylene Oxide

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE 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.

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Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000075-07-0	ACETALDEHYDE	> 0	but < 10 tpy
000107-02-8	ACROLEIN	> 0	but < 10 tpy
007440-38-2	ARSENIC	> 0	but < 10 tpy
000071-43-2	BENZENE	> 0	but < 10 tpy
007440-41-7	BERYLLIUM	> 0	but < 10 tpy
007440-43-9	CADMIUM	> 0	but < 10 tpy
000630-08-0	CARBON MONOXIDE	>= 25	tpy but < 40 tpy
007440-47-3	CHROMIUM	> 0	but < 10 tpy
000075-21-8	ETHYLENE OXIDE	> 0	but < 10 tpy
000050-00-0	FORMALDEHYDE	> 0	but < 10 tpy
007439-92-1	LEAD	> 0	but < 10 tpy
007439-96-5	MANGANESE	> 0	but < 10 tpy
007439-97-6	MERCURY	> 0	but < 10 tpy
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	> 0	but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN	>= 50	tpy but < 100 tpy
0NY075-00-0	PARTICULATES	>= 2.5	tpy but < 10 tpy
0NY075-00-5	PM-10	>= 2.5	tpy but < 10 tpy
130498-29-2	POLYCYCLIC AROMATIC HYDROCARBONS	> 0	but < 10 tpy
000115-07-1	PROPYLENE	>= 2.5	tpy but < 10 tpy
007446-09-5	SULFUR DIOXIDE	>= 10	tpy but < 25 tpy
000108-88-3	TOLUENE	> 0	but < 10 tpy
0NY998-00-0	VOC	>= 2.5	tpy but < 10 tpy
001330-20-7	XYLENE, M, O & P MIXT.	> 0	but < 10 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 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.



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(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 - 6 NYCRR 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

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

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

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

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

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

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

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

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

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5(a)(5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR 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.

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

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

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

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.



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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: Permit Exclusion - ECL 19-0305

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

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

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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.

Regulatory Analysis

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Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
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FACILITY	ECL 19-0301	78	Powers and Duties of the Department with respect to air pollution control
U-00001/EP001/NG1/ES001	40CFR 60-A	61	General provisions
FACILITY	40CFR 60-A.11	43	General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.12	44	General provisions - Circumvention
FACILITY	40CFR 60-A.13	45	General provisions - Monitoring requirements
FACILITY	40CFR 60-A.14	46	General provisions - Modification
U-00001/EP001/NG1/ES001	40CFR 60-A.14	68	General provisions - Modification
U-00001/EP001/NG1/ES001	40CFR 60-A.15	69	General provisions - Reconstruction
FACILITY	40CFR 60-A.4	39	General provisions - Address
U-00001/EP001/NG1/ES001	40CFR 60-A.4	62	General provisions - Address
U-00001/EP001/NG1/ES001	40CFR 60-A.7 (a)	63	Notification and Recordkeeping
U-00001/EP001/NG1/ES001	40CFR 60-A.7 (b)	64	Notification and Recordkeeping
U-00001/EP001/NG1/ES001	40CFR 60-A.7 (d)	65	Notification and Recordkeeping
U-00001	40CFR 60-A.7 (e)	57	Notification and Recordkeeping
U-00001/EP001/NG1/ES001	40CFR 60-A.7 (f)	66	Notification and Recordkeeping
FACILITY	40CFR 60-A.8 (a)	40	Performance Tests
FACILITY	40CFR 60-A.8 (b)	41	Performance Tests
FACILITY	40CFR 60-A.8 (d)	42	Performance Tests
U-00001/EP001/NG1/ES001	40CFR 60-A.9	67	General provisions - Availability of information
FACILITY	40CFR 60-Dc.40c	47, 48	Steam generators 10-100 million Btu per hour
FACILITY	40CFR 60-Dc.42c (d)	49	Standard for Sulfur Dioxide Firing Oil. (see narrative)
FACILITY	40CFR 60-Dc.42c (h)	50	Exemption from Averaging Requirements
FACILITY	40CFR 60-Dc.42c (i)	51	Standard for Sulfur Dioxide Period of Requirements.
U-00001/-/OL2	40CFR 60-Dc.42c (i)	60	Standard for Sulfur Dioxide Period of Requirements.
U-00001/EP001/OL2	40CFR 60-Dc.43c (c)	73	Standard for Opacity.
FACILITY	40CFR 60-Dc.46c (d) (2)	52	Alternative sulfur

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U- 00001/EP001/OL2/ES001	40CFR 60-Dc.46c (d) (2)	75	dioxide emissions monitoring.
U- 00001/EP001/NG1/ES001	40CFR 60-Dc.48c (a)	70	Alternative sulfur dioxide emissions monitoring.
U-00001/EP001/OL2	40CFR 60-Dc.48c (f) (1)	74	Reporting and Recordkeeping Requirements.
U- 00001/EP001/NG1/ES001	40CFR 60-Dc.48c (g)	71	Reporting and Recordkeeping Requirements (distillate oil).
U- 00001/EP001/NG1/ES001	40CFR 60-Dc.48c (i)	72	Reporting and Recordkeeping Requirements.
FACILITY	40CFR 68	20	Chemical accident prevention provisions
FACILITY	40CFR 82-F	21	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	79	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	22, 53, 54	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.5 (a) (4)	15	General conditions
FACILITY	6NYCRR 201-6.5 (a) (7)	2	General conditions Fees
FACILITY	6NYCRR 201-6.5 (a) (8)	16	General conditions
FACILITY	6NYCRR 201-6.5 (c)	3	Permit conditions for Recordkeeping and Reporting of
FACILITY	6NYCRR 201-6.5 (c) (2)	4	Compliance Monitoring Permit conditions for Recordkeeping and Reporting of
FACILITY	6NYCRR 201-6.5 (c) (3) (ii)	5	Compliance Monitoring Permit conditions for Recordkeeping and Reporting of
FACILITY	6NYCRR 201-6.5 (d) (5)	17	Compliance Monitoring Compliance schedules
FACILITY	6NYCRR 201-6.5 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.5 (f) (6)	18	Off Permit Changes

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FACILITY	6NYCRR 201-6.5 (g)	23	Permit shield
FACILITY	6NYCRR 201-7	24, 25, 26, 27, 28, 29, 30, 55, 56	Federally Enforceable Emissions Caps
FACILITY	6NYCRR 202-1.1	19	Required emissions tests.
FACILITY	6NYCRR 202-1.3	31, 32, 33	Acceptable procedures.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.2	80	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212.2	34	Determination of environmental rating
FACILITY	6NYCRR 212.3 (a)	81	General Process Emission Sources - emissions from existing emission sources
FACILITY	6NYCRR 212.9 (b)	82	General Process Emission Sources - tables
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 225.1 (a) (3)	36	Sulfur in Fuel Limitations (SIP)
U-00001/-/OL2	6NYCRR 225-1.2 (a) (2)	58	Sulfur in Fuel Limitations Post 12/31/87.
FACILITY	6NYCRR 225-1.8	35	Reports, sampling and analysis.
U-00001/-/OL2	6NYCRR 227.2 (b) (1)	59	Particulate emissions.
U-00003/EP003/NG2	6NYCRR 227-1.3 (a)	76	Smoke Emission Limitations.
U-00003/EP004/NG2	6NYCRR 227-1.3 (a)	77	Smoke Emission Limitations.
FACILITY	6NYCRR 227-2.4 (c)	83	Mid-size boilers.
FACILITY	6NYCRR 227-2.4 (d)	84, 85	Small boilers, small combustion turbines, and small stationary internal combustion engines.
FACILITY	6NYCRR 227-2.6 (c)	37, 38	Stack Test Requirements.
FACILITY	6NYCRR 231-2	24, 25, 26, 27, 28, 29, 30	New Source Review in Nonattainment Areas and Ozone Transport Region

Applicability Discussion:

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

ECL 19-0301

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

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



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6 NYCRR 200.7

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

6 NYCRR 201-1.4

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

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.5 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

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6 NYCRR 201-6.5 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.5 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.5 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.5 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.5 (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.

6 NYCRR 201-6.5 (d) (5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.5 (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.

6 NYCRR 201-6.5 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 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.



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6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

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

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2

This regulation prohibits any emissions of air contaminants to the outdoor atmosphere which may be detrimental to human, plant or animal life or to property, or which unreasonably interferes with the comfortable enjoyment of life or property regardless of the existence of any specific air quality standard or emission limit.

6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

40 CFR Part 68

This Part lists the regulated substances and their applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, NYC-HH - JACOBI MEDICAL CTR has been determined to be subject to the following regulations:

40 CFR 60.11

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40 CFR 60.12

This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.

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40 CFR 60.13

This regulation specifies how monitoring shall be performed and which methods and appendices are used to determine if the monitoring is adequate and in compliance with the regulated standards.

40 CFR 60.14

This regulation defines the term modification and what is and is not considered to be a modification, for the purpose of rule applicability.

40 CFR 60.15

This regulation defines the term reconstruction and what is and is not considered to be a reconstruction project, for the purpose of rule applicability.

40 CFR 60.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.40c

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

40 CFR 60.42c (d)

This regulation requires that on or after the date on which the initial performance test is completed or required to be completed under section 60.8 of 40 CFR 60 Subpart A, no owner or operator of an affected facility that combusts oil, shall combust oil with a sulfur content in excess of 0.5 percent by weight.

40 CFR 60.42c (h)

This regulation requires that compliance with emission limits and/or fuel oil sulfur limitations be based on a certification from the fuel supplier as stated in paragraph 40 CFR 60-Dc.48c(f)(1), (2), or (3) as applicable

40 CFR 60.42c (i)

This regulation requires that the sulfur dioxide emission limits, percentage reductions, and fuel oil sulfur limitations apply at all times, including periods of startup, shutdown, and malfunction.

40 CFR 60.43c (c)

This regulation requires that on or after the date on which the initial performance test is completed or is required to be completed, an affected facility that combusts coal, wood, or oil and has a heat input of 30 million Btu per hour (8.7 MW) or greater, shall not cause any gases to be discharged to the atmosphere,



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that exhibit an opacity greater than 20% (based on a 6-minute average) or exceeds 27% for one 6-minute period per hour.

40 CFR 60.46c (d) (2)

This regulation allows the owner or operator of an affected facility to determine the average sulfur dioxide emission rate by sampling the fuel prior to its combustion and calculating the emissions instead of installing and operating a continuous emissions monitor at the inlet of the control device

40 CFR 60.48c (a)

This regulation requires the owner and operator of each affected facility to submit notification of the date of construction or reconstruction, anticipated startup, and actual startup of the facility. The notification must include the following information:

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

(2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.

(3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

40 CFR 60.48c (f) (1)

Fuel supplier certifications for distillate oil shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specification under the definition of distillate oil in 40 CFR 60-Dc.41c

40 CFR 60.48c (g)

The owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each day.

40 CFR 60.48c (i)

This regulation requires the source owner or operator to retain all records for a minimum of two years for compliance with the NSPS. This does not supercede any requirement that is more stringent, including the Title V requirement to maintain records for for a minimum of 5 years.

40 CFR 60.7 (a)

This regulation requires any owner or operator subject to a New Source Performance Standard (NSPS) to furnish the Administrator with notification of the dates of: construction or reconstruction, initial startup, any physical or operational changes, commencement of performance testing for continuous monitors and anticipated date for opacity observations as required.



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40 CFR 60.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40 CFR 60.7 (d)

This condition specifies the required information and format for a summary report form and details when either a summary form and/or excess emissions reports are required.

40 CFR 60.7 (e)

This condition specifies how sources that remain in continuous compliance, and are subject to monthly or quarterly reporting, can reduce reporting frequency to semiannually.

40 CFR 60.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40 CFR 60.8 (a)

This regulation contains the requirements for the completion date and reporting of Performance Testing (stack testing), at the facility. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, the owner or operator of the facility must conduct performance test(s) and furnish a written report of the test results.

40 CFR 60.8 (b)

This regulation contains the requirements for Performance test methods and procedures, to be used by the owner or operator, of the affected facility.

40 CFR 60.8 (d)

This regulation contains the requirements for advance notification of Performance (stack) testing.

40 CFR 60.9

This rule citation allows the public access to any information submitted to the EPA Administrator (or state contact), in conjunction with a project subject to this section of the regulation.

40 CFR Part 60, Subpart A

This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements



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6 NYCRR 202-1.3

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

6 NYCRR 212.2

6 NYCRR 212.3 (a)

This rule requires compliance with the degree of control specified in Tables 2, 3 and 4 for existing (on or before July 1, 1973) process emission sources.

6 NYCRR 212.9 (b)

This section refers to Table 2 which specifies the degree of control required for Gases and Liquid Particulate Emissions (Environmental Rating of A, B, C or D) and Solid Particulate Emissions (Environmental Rating A or D) but excluding Volatile Organic Compound Emissions in the New York City Metropolitan Area.

6 NYCRR 225.1 (a) (3)

This regulation limits the amount of sulfur that can be in fuel burned at a stationary source. It references Table 1 of the 1979 version of the sulfur in fuel limitations expressed in terms of percent by weight for fuel oil and pounds per million Btu gross heat content for solid fuel. **NOTE: This citation has been replaced by requirements cited under 225-1.2(a)(2) and is no longer part of current State regulations, however, it remains part of New York State's approved State Implementation Plan (SIP).**

6 NYCRR 225-1.2 (a) (2)

This regulation prohibits any person from selling, offering for sale, purchasing or using any fuel which contains sulfur in a quantity exceeding the limitations set forth in Table 1, Table 2, or Table 3 of this section.

6 NYCRR 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.

6 NYCRR 227.2 (b) (1)

This regulation is from the 1972 version of Part 227 and still remains as part of New York's SIP. The rule establishes a particulate limit of 0.10 lbs/mmBtu based on a 2 hour average emission for any oil fired stationary combustion installation.



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6 NYCRR 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.

6 NYCRR 227-2.4 (c)

Emission limits for mid-size boilers.

6 NYCRR 227-2.4 (d)

NO_x RACT requirements for small boilers, small combustion turbines, and small stationary internal combustion engines.

6 NYCRR 227-2.6 (c)

Stack test requirements.

6 NYCRR Subpart 201-7

This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is:

1. Natural gas for the four Johnston boilers, 30 MM Btu/hr each, defined in Emission Unit U-00001 as Emission Sources ES001, ES002, ES003 & ES004, is limited to 630.72 million cubic feet per year based on Annual Maximum Rolled Monthly.
2. Number 2 foil oil for the four Johnston boilers, 30 MM Btu/hr each, defined in Emission Unit U-00001 as Emission Sources ES001, ES002, ES003 & ES004, is limited to 1.49 million gallons per year based on Annual Maximum Rolled Monthly.

Natural gas for the two York-Shipley boilers, 10.46 MM Btu/hr each, defined in Emission Unit U-00003 as Emission Sources S0010 & S0011, is limited to 105 million cubic feet per year based on Annual Maximum Rolled Monthly.

6 NYCRR Subpart 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 addition,

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particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

Non Applicability Analysis
Facility/EU/EP/Process/ES

FACILITY	40 CFR 52.21	Prevention of Significant Deterioration
FACILITY	6 NYCRR Subpart 231-2	New Source Review in Nonattainment Areas and Ozone Transport Region
U-00001	6 NYCRR Subpart 231-2	New Source Review in Nonattainment Areas and Ozone Transport Region

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. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification
Summary of monitoring activities at NYC-HH - JACOBI MEDICAL CTR:

Location	Cond No.	Type of Monitoring
Facility/EU/EP/Process/ES		

FACILITY	47	record keeping/maintenance procedures
FACILITY	48	monitoring of process or control device parameters as surrogate
FACILITY	49	work practice involving specific operations
FACILITY	50	monitoring of process or control device parameters as surrogate
U-00001/EP001/OL2	73	monitoring of process or control device parameters as surrogate
FACILITY	52	monitoring of process or control device parameters as surrogate
U-00001/EP001/OL2/ES001	75	monitoring of process or control device parameters as surrogate

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U-00001/EP001/NG1/ES001	70	record keeping/maintenance procedures
U-00001/EP001/OL2	74	record keeping/maintenance procedures
U-00001/EP001/NG1/ES001	71	record keeping/maintenance procedures
U-00001/EP001/NG1/ES001	72	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	24	monitoring of process or control device parameters as surrogate
FACILITY	25	monitoring of process or control device parameters as surrogate
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	27	monitoring of process or control device parameters as surrogate
FACILITY	28	monitoring of process or control device parameters as surrogate
FACILITY	29	monitoring of process or control device parameters as surrogate
FACILITY	30	monitoring of process or control device parameters as surrogate
FACILITY	7	record keeping/maintenance procedures
FACILITY	34	monitoring of process or control device parameters as surrogate
FACILITY	81	monitoring of process or control device parameters as surrogate
FACILITY	82	record keeping/maintenance procedures
FACILITY	36	work practice involving specific operations
U-00001/-/OL2	58	monitoring of process or control device parameters as surrogate
FACILITY	35	record keeping/maintenance procedures
U-00001/-/OL2	59	intermittent emission testing
U-00003/EP003/NG2	76	monitoring of process or control device parameters as surrogate
U-00003/EP004/NG2	77	monitoring of process or control device parameters as surrogate
FACILITY	83	intermittent emission testing
FACILITY	84	record keeping/maintenance procedures
FACILITY	85	record keeping/maintenance procedures
FACILITY	37	intermittent emission testing
FACILITY	38	intermittent emission testing

Basis for Monitoring

This facility is subject to the requirements of Title V. The facility is required, under the provisions of 6 NYCRR Subpart 201-6, to submit semiannual compliance reports and an annual Compliance Certification. This facility is required to comply with the following monitoring conditions:

Condition # 5 for 6 NYCRR 201-6.5(c)(3)(ii): This is a facility-wide condition. This condition is for Record Keeping/Maintenance Procedures. 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 # 6 for 6 NYCRR 201-6.5(e): This is a facility-wide condition. This condition is for Record Keeping/Maintenance Procedures. This condition specifies the overall permit requirements for compliance certification, including emission limitations, standards or work practices.

Condition # 7 for 6 NYCRR 202-2.1: This is a facility-wide condition. This condition is for Record Keeping/Maintenance Procedures. 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 applies to all Title V facilities and these facilities must submit an annual emission statement by April 15th of each year.

Condition # 25 for 6 NYCRR 201-7, Capping Out of 6 NYCRR 231-2: This condition is an emission unit level, emission point level, process level, and emission source level condition for Monitoring of Process or Control Device Parameters as Surrogate for Oxides of Nitrogen that applies to:

EU: U-00003, EP: EP003, Process: NG2, ES: S0010

EU: U-00003, EP: EP004, Process: NG2, ES: S0011

Natural gas for the two York-Shipley boilers, 10.46 MM Btu/hr each, defined in Emission Unit U-0003 as Emission Sources S0010 & S0011, is limited to 105 million cubic feet per year.

Condition # 26 for 6 NYCRR 201-7, Capping Out of 6 NYCRR 231-2: This condition is an emission unit level, process level, and emission source level condition for Monitoring of Process or Control Device Parameters as Surrogate for Oxides of Nitrogen that applies to:

EU: U-00001, Process: NG1, ES: ES001

EU: U-00001, Process: NG1, ES: ES002

EU: U-00001, Process: NG1, ES: ES003

EU: U-00001, Process: NG1, ES: ES004

Natural gas for the four Johnston boilers, 30 MM Btu/hr each, defined in Emission Unit U-00001 as Emission Sources ES001, ES002, ES003 & ES004, is limited to 630.72 million cubic feet per year.

Condition # 27 for 6 NYCRR 201-7, Capping Out of 6 NYCRR 231-2: This condition is an emission unit level, process level, and emission source level condition for Monitoring of Process or Control Device Parameters as Surrogate for Oxides of Nitrogen that applies to:

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EU: U-00001, Process: OL2, ES: ES001
EU: U-00001, Process: OL2, ES: ES002
EU: U-00001, Process: OL2, ES: ES003
EU: U-00001, Process: OL2, ES: ES004

Number 2 fuel oil for the four Johnston boilers, 30 MM Btu/hr each, defined in Emission Unit U-00001 as Emission Sources ES001, ES002, ES003 & ES004, is limited to 1.49 million gallons per year.

Condition # 31 for 6 NYCRR 225-1.8: This is a facility-wide condition. This condition is for Record Keeping/Maintenance Procedures. 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.

Condition # 32 for 6 NYCRR 225.1(a)(3): This is a facility-wide condition. This condition is for Work Practice Involving Specific Operations. This condition limits the amount of sulfur that can be in fuel burned at a stationary source. It references Table 1 of the 1979 version of the sulfur in fuel limitations expressed in terms of percent by weight for fuel oil and pounds per million Btu gross heat content for solid fuel. This condition prohibits any person from selling, offering for sale, purchasing or using any fuel which contains sulfur in a quantity exceeding the limitations of 0.20 % by weight for distillate fuel (# 2 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. This citation has been replaced by requirements cited under 225-1.2(a)(2) and is no longer part of current State regulations, however, it remains part of New York State's approved State Implementation Plan (SIP).

Condition # 47 for 6 40 CFR 60.42c(d), NSPS Subpart Dc: This is a facility-wide condition. This condition is for Work Practice Involving Specific Operations for Sulfur Dioxide. This condition requires that on or after the date on which the initial performance test is completed or required to be completed under section 60.8 of 40 CFR 60 Subpart A, no owner or operator of an affected facility that combusts distillate oil with a sulfur content in excess of 0.50 percent by weight. This regulation is superseded (overruled) by regulation 6 NYCRR 225.1(a)(3), which limits the sulfur content in the distillate oil to 0.20 percent by weight to facilities in the severe zone non-attainment area such as New York City.

NYC-HH - Jacobi Medical Center must comply with the 0.20 percent by weight



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sulfur content limit in distillate oil as per 6 NYCRR 225.1(a)(3), which has more stringent limit for New York City than 40 CFR 60-Dc.42c(d), NSPS.

Condition # 52 for 6 NYCRR 227-2.4(d): This condition is an emission unit level for Record Keeping/Maintenance Procedures for Oxides of Nitrogen that applies to EU: U-00001. This condition is for the NO_x RACT condition for small boilers (those with a heat input less than or equal to 50 mm Btu/hr) and applies to the boilers with Emission Sources ES001, ES002 & ES003 & ES004 in EU: U-00001, which are the four Johnston boilers, 30 MM Btu/hr each, operating on natural gas (Process NG1) and # 2 fuel oil (Process OL2).

This condition specifies that the reasonably available control technology (RACT) requirement for small boilers (< or = 50 million BTUs/hr) at Title V facilities consists of an annual tune-up. The owner or operator of a small boiler (between 20 and 50 mm Btu/hr) shall maintain a log (in the format acceptable to the Department as in Air Guide 33) containing the following information:

- (1) The date which the equipment was adjusted; and
- (2) The name, title, and affiliation of the person who adjusted the equipment.

Annual tune-up maintenance usually includes not only some aspects of daily, weekly, and monthly scheduled maintenance, but also focuses on tests, evaluations and adjustments necessary for efficient combustion. Annual tune-up maintenance requirements must include a tune-up checklist (see Appendix A of Air Guide 33) and written procedures.

Condition # 53 for 231-2.8: This condition is an emission unit level for Record Keeping/Maintenance Procedures for Oxides of Nitrogen that applies to EU: U-00001. 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.

Pursuant to section 231-2.8, existing major facilities located in the severe ozone non-attainment area may avoid the requirements of Subpart 231-2 by using emission reduction credits (as internal offsets) created at the facility to offset the project emission potential of the proposed project. The netting offset for the NO_x is 34.7 tpy, for the VOC is 1.933, and for the CO is 27.62, and they are all internal.

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Condition # 57 for 40 CFR 60.42c(h), NSPS Subpart Dc: This condition is for Monitoring of Process or Control Device Parameters as Surrogate for Sulfur Dioxide. This condition is an emission unit level monitoring condition for sulfur dioxide that applies to EU: U-00001. This condition requires that compliance with emission limits and/or fuel oil sulfur limitations be based on a certification from the fuel supplier as stated in paragraph 40 CFR 60-Dc.48c(f)(1), (2), or (3) as applicable.

Regulation 40 CFR 60.42c(h), NSPS Subpart Dc which limits the sulfur content in the distillate oil to 0.50 percent by weight is superceded (overruled) by regulation 6 NYCRR 225.1(a)(3), which limits the sulfur content in the distillate oil (# 2 fuel oil) to 0.20 percent by weight to facilities in the severe zone non-attainment area such as New York City.

NYC-HH - Jacobi Medical Center must comply with the 0.20 percent by weight sulfur content limit in distillate oil as per 6 NYCRR 225.1(a)(3), which has more stringent limit for New York City than 40 CFR 60-Dc.42c(d), NSPS.

Condition # 58 for 40 CFR 60.48c(a), NSPS Subpart Dc: This condition is an emission unit level for Record Keeping/Maintenance Procedures that applies to EU: U-00001. This condition requires the owner and operator of each affected facility to submit notification of the date of construction or reconstruction, anticipated startup, and actual startup of the facility. The notification must include the following information:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

Condition # 59 for 6 NYCRR 225-1.2(a)(2): This condition is an emission unit level and process level Monitoring of Process or Control Device Parameters as Surrogate for sulfur content in fuel oil that applies to EU: U-00001 and Process: OL2. This condition prohibits any person from selling, offering for sale, purchasing or using any fuel which contains sulfur in a quantity exceeding the limitations set forth in Table 1, Table 2, or Table 3 of this section.

This condition prohibits any person from selling, offering for sale, purchasing or using



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any fuel which contains sulfur in a quantity exceeding the limitations of 0.20 % by weight for distillate fuel (# 2 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.

Condition # 60 for 6 NYCRR 227.2(b)(1): This condition is an emission unit level and process level Intermittent Emission Testing condition for Particulates that applies to EU: U-00001 and Proc: OL2.

This condition is from the 1972 version of Part 227 and still remains as part of New York's SIP. This condition establishes a particulate limit of 0.10 pounds per million Btus based on a 2 hour average emission for any oil fired stationary combustion installation.

Condition # 61 for 40 CFR 60.42c(d), NSPS Subpart Dc: This is an emission unit level and process level condition for Sulfur Dioxide that applies to EU: U-00001 and Proc: OL2. This condition is for Work Practice Involving Specific Operations. The sulfur content limit in # 2 fuel oil (distillate oil) is 0.20 % by weight for facilities in severe ozone non-attainment areas such as New York City.

This condition requires that on or after the date on which the initial performance test is completed or required to be completed under section 60.8 of 40 CFR 60 Subpart A, no owner or operator of an affected facility that combusts oil, shall combust oil with a sulfur content in excess of 0.5 percent by weight.

NYC-HH - Jacobi Medical Center must comply with the 0.20 percent by weight sulfur content limit in distillate oil as per 6 NYCRR 225.1(a)(3), which has more stringent limit for New York City than 40 CFR 60-Dc.42c(d), NSPS.

Condition # 64 for 6 NYCRR 201-7, Capping Out of 6 NYCRR 231-2: This condition is an emission unit level, emission point level, and process level condition for Record Keeping/Maintenance Procedures for Oxides of Nitrogen that applies to EU: U-00001, EP: E0001, Process: NG1.

Natural gas for the four Johnston boilers, 30 MM Btu/hr each, defined as Emission Unit U-00001 as Emission Sources ES001, ES002, ES003 & ES004, is limited to 630.72 million cubic feet per year.

Condition # 73 for 6 NYCRR 201-7, Capping Out of 6 NYCRR 231-2: This condition is an emission unit level, emission point level, and process level condition for Record Keeping/Maintenance Procedures for Oxides of Nitrogen that applies to EU: U-00001, EP: E0001, Process: OL2.



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Number 2 oil for the four Johnston boilers, 30 MM Btu/hr each, defined as Emission Unit U-00001 as Emission Sources ES001, ES002, ES003 & ES004, is limited to 1.49 million gallons per year.

Condition # 74 for 40 CFR 60.40c, NSPS Subpart Dc: This condition is an emission unit level, emission point level and process level condition for Record Keeping/Maintenance Procedures for Sulfur Dioxide that applies to EU: U-00001, EP: E0001 and Proc: OL2. This condition requires the source owner or operator to comply with the applicable General Provisions of 40 CFR 60 Subpart Dc. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

Condition # 75 for 40 CFR 60.40c, NSPS, Subpart Dc: This condition is an emission unit level, emission point level and process level condition for Monitoring of Process or Control Device Parameters as Surrogate for Sulfur Dioxide for sulfur content in distillate oil that applies to EU: U-00001, EP: E0001 and Proc: OL2. This condition requires the source owner or operator to comply with the applicable General Provisions of 40 CFR 60 Subpart Dc. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

NYC-HH - Jacobi Medical Center must comply with the 0.20 percent by weight sulfur content limit in distillate oil as per 6 NYCRR 225.1(a)(3), which has more stringent limit for New York City than 40 CFR 60-Dc.40c, NSPS.

Condition # 76 for 40 CFR 60.43c(c), NSPS Subpart Dc: This condition is an emission unit level, emission point level and process level condition for Monitoring of Process or Control Device Parameters as Surrogate for Particulates for opacity that applies to EU: U-00001, EP: E0001, Proc: OL2. This condition requires that on or after the date on which the initial performance test is completed or is required to be completed, an affected facility that combusts coal, wood, or oil and has a heat input of 30 million Btu per hour (8.7 MW) or greater, shall not cause any gases to be discharged to the atmosphere, that exhibit an opacity greater than 20% (based on a 6-minute average) or exceeds 27% for one 6-minute period per hour.

Condition # 77 for 40 CFR 60.46c(d)(2), NSPS Subpart Dc: This condition is an emission unit level, emission point level and process level condition for Monitoring of Process or Control Device Parameters as Surrogate for Sulfur Dioxide for sulfur content in distillate oil that applies to EU: U-00001, EP: E0001, and Proc: OL2. This condition allows the owner or operator of an affected facility to determine the average sulfur dioxide emission rate by sampling the fuel prior to its combustion and calculating the emissions instead of installing and operating a continuous emissions



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monitor at the inlet of the control device.

NYC-HH - Jacobi Medical Center must comply with the 0.20 percent by weight sulfur content limit in distillate oil (# 2 fuel oil) as per 6 NYCRR 225.1(a)(3), which has more stringent limit for New York City than 40 CFR 60-Dc.46c(d)(2), NSPS.

Condition # 78 for 40 CFR 60.47c, NSPS Subpart Dc: This condition is an emission unit level, emission point level and process level condition for Monitoring of Process or Control Device Parameters as Surrogate for Particulates for opacity that applies to EU: U-00001, EP: E0001 and Proc: OL2. This condition requires that all continuous emissions monitors measuring opacity to be operated in accordance with Appendix B of this part 40 CFR 60. The opacity limit is 27 percent.

Condition # 79 for 40 CFR 60.48c(f)(1), NSPS Subpart Dc: This condition is an emission unit level, emission point level and process level condition for Record Keeping/Maintenance Procedures for Sulfur Dioxide that applies to EU: U-00001, EP: E0001 and Proc: OL2.

Fuel supplier certifications for distillate oil shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specification under the definition of distillate oil in 40 CFR 60-Dc.41c.

Condition # 88 for 6 NYCRR 212.2: This condition is an emission unit level, emission point level, process level and emission source condition for Monitoring of Process or Control Device Parameters as Surrogate for Ethylene Oxide that applies to EU: U-00002, EP: EP002, Proc: ETO and Emission Source: ES007.

This condition requires compliance with the environmental rating of an air contaminant. When an application is made for a permit to construct or for a certificate to operate for a process emission source, the commissioner will issue an environmental rating for each air contaminant from each emission point in accordance with Table 1 of this Part.

Ethylene Oxide is listed in Table II of Air Guide 1 as a high toxicity air contaminant due to the high potential for causing adverse effects on receptors or the environment as a result of exposure. As such, according to the criteria of Table 1 of 6 NYCRR 212, an "A" environmental rating is assigned to ethylene oxide.

Applicant must control ethylene oxide emissions to achieve a degree of control of 99% contaminant capture and reduction by weight for existing process emission source.



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Condition # 89 for 6 NYCRR 212.3(a): This condition is an emission unit level, emission point level, process level and emission source level monitoring condition for Monitoring of Process or Control Device Parameters as Surrogate Ethylene Oxide that applies to EU: U-00002, EP: EP002, Proc: ETO and ES: ES007. This condition requires compliance with the degree of control specified in Tables 2, 3 and 4 for existing (on or before July 1, 1973) process emission sources. This condition requires the facility to comply with either 99% or greater air cleaning or BACT is required for EtO emission from this sterilizer. This condition requires the EtO abator to be in operation whenever EtO sterilization is conducted.

The ethylene oxide sterilizer (Emission Source ES007 & ES008) has a built in aerator and is equipped with an abator (Emission Control ES009) which controls the EtO emission to a maximum of 0.0044 pounds per hour in Emission Point EP002 and Emission Unit U-00002. The EtO gas emissions from the sterilizer are exhausted through the abator after being reduced to 0.0044 pounds per hour with the control of the abator and then through a dedicated stack which is identified as Emission Point EP002 in Emission Unit U-00002 and then, the EtO gas emissions are discharged out to the atmosphere.

Condition # 90 for 6 NYCRR 212.9(b): This condition is an emission unit level, emission point level, process level and emission source level for Record Keeping/Maintenance Procedures for Ethylene Oxide that applies to EU: U-00002, EP: EP002, Proc: ETO and ES: ES007. This condition refers to Table 2 which specifies the degree of control required for EtO emissions in the New York City Metropolitan Area. This condition requires the facility to have the EtO abator in operation whenever EtO sterilization is conducted. This condition specifies certain records that the facility is required to keep and maintain during the EtO sterilization.

The operation of the ethylene oxide abator is monitored for compliance in accordance with manufacturer's instructions. The owner/operator shall maintain a log containing the following information:

1. The date and the number of sterilization loads.
2. The quantity of sterilization gas used in pounds per hour, per day and per year.
3. The date and time of sterilizer and/or abator malfunctions and maintenance.
4. Records are to be maintained on site for a period of five (5) years.

Condition # 91 for 6 NYCRR 212.2: This condition is an emission unit level, emission point level, process level and emission source condition for Monitoring of Process or Control Device Parameters as Surrogate for Ethylene Oxide that applies to EU: U-00002, EP: EP002, Proc: ETO and Emission Source: ES008.

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This condition requires compliance with the environmental rating of an air contaminant. When an application is made for a permit to construct or for a certificate to operate for a process emission source, the commissioner will issue an environmental rating for each air contaminant from each emission point in accordance with Table 1 of this Part.

Ethylene Oxide is listed in Table II of Air Guide 1 as a high toxicity air contaminant due to the high potential for causing adverse effects on receptors or the environment as a result of exposure. As such, according to the criteria of Table 1 of 6 NYCRR 212, an "A" environmental rating is assigned to ethylene oxide.

Applicant must control ethylene oxide emissions to achieve a degree of control of 99% contaminant capture and reduction by weight for existing process emission source.

Condition # 92 for 6 NYCRR 212.3(a): This condition is an emission unit level, emission point level, process level and emission source level monitoring condition for Monitoring of Process or Control Device Parameters as Surrogate Ethylene Oxide that applies to EU: U-00002, EP: EP002, Proc: ETO and ES: ES008. This condition requires compliance with the degree of control specified in Tables 2, 3 and 4 for existing (on or before July 1, 1973) process emission sources. This condition requires the facility to comply with either 99% or greater air cleaning or BACT is required for EtO emission from this sterilizer. This condition requires the EtO abator to be in operation whenever EtO sterilization is conducted.

The ethylene oxide sterilizer (Emission Sources ES007 & ES008) has a built in aerator and is equipped with an abator (Emission Control ES009) which controls the EtO emission to a maximum of 0.0044 pounds per hour in Emission Point EP002 and Emission Unit U-00002. The EtO gas emissions from the sterilizer are exhausted through the abator after being reduced to 0.0044 pounds per hour with the control of the abator and then through a dedicated stack which is identified as Emission Point EP002 in Emission Unit U-00002 and then, the EtO gas emissions are discharged out to the atmosphere.

Condition # 93 for 6 NYCRR 212.9(b): This condition is an emission unit level, emission point level, process level and emission source level for Record Keeping/Maintenance Procedures for Ethylene Oxide that applies to EU: U-00002, EP: EP002, Proc: ETO and ES: ES008. This condition refers to Table 2 which specifies the degree of control required for EtO emissions in the New York City Metropolitan Area. This condition requires the facility to have the EtO abator in operation whenever EtO sterilization is conducted. This condition specifies certain records that the facility is required to keep and maintain during the EtO sterilization.



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The operation of the ethylene oxide abator is monitored for compliance in accordance with manufacturer's instructions. The owner/operator shall maintain a log containing the following information:

1. The date and the number of sterilization loads.
2. The quantity of sterilization gas used in pounds per hour, per day and per year.
3. The date and time of sterilizer and/or abator malfunctions and maintenance.
4. Records are to be maintained on site for a period of five (5) years.

Condition # 94 for 6 NYCRR 212.2: This condition is an emission unit level, emission point level, process level and emission source condition for Monitoring of Process or Control Device Parameters as Surrogate for Ethylene Oxide that applies to EU: U-00002, EP: EP002, Proc: ETO and Emission Source: ES009.

This condition requires compliance with the environmental rating of an air contaminant. When an application is made for a permit to construct or for a certificate to operate for a process emission source, the commissioner will issue an environmental rating for each air contaminant from each emission point in accordance with Table 1 of this Part.

Ethylene Oxide is listed in Table II of Air Guide 1 as a high toxicity air contaminant due to the high potential for causing adverse effects on receptors or the environment as a result of exposure. As such, according to the criteria of Table 1 of 6 NYCRR 212, an "A" environmental rating is assigned to ethylene oxide.

Applicant must control ethylene oxide emissions to achieve a degree of control of 99% contaminant capture and reduction by weight for existing process emission source.

Condition # 95 for 6 NYCRR 212.3(a): This condition is an emission unit level, emission point level, process level and emission source level monitoring condition for Monitoring of Process or Control Device Parameters as Surrogate Ethylene Oxide that applies to EU: U-00002, EP: EP002, Proc: ETO and ES: ES009. This condition requires compliance with the degree of control specified in Tables 2, 3 and 4 for existing (on or before July 1, 1973) process emission sources. This condition requires the facility to comply with either 99% or greater air cleaning or BACT is required for EtO emission from this sterilizer. This condition requires the EtO abator to be in operation whenever EtO sterilization is conducted.

The ethylene oxide sterilizer (Emission Sources ES007 & ES008) has a built in aerator and is equipped with an abator (Emission Control ES009) which controls the



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EtO emission to a maximum of 0.0044 pounds per hour in Emission Point EP002 and Emission Unit U-00003. The EtO gas emissions from the sterilizer are exhausted through the abator after being reduced to 0.0044 pounds per hour with the control of the abator and then through a dedicated stack which is identified as Emission Point E0003 in Emission Unit U-00003 and then, the EtO gas emissions are discharged out to the atmosphere.

Condition # 96 for 6 NYCRR 212.9(b): This condition is an emission unit level, emission point level, process level and emission source level for Record Keeping/Maintenance Procedures for Ethylene Oxide that applies to EU: U-00002, EP: EP002, Proc: ETO and ES: ES009. This condition refers to Table 2 which specifies the degree of control required for EtO emissions in the New York City Metropolitan Area. This condition requires the facility to have the EtO abator in operation whenever EtO sterilization is conducted. This condition specifies certain records that the facility is required to keep and maintain during the EtO sterilization.

The operation of the ethylene oxide abator is monitored for compliance in accordance with manufacturer's instructions. The owner/operator shall maintain a log containing the following information:

1. The date and the number of sterilization loads.
2. The quantity of sterilization gas used in pounds per hour, per day and per year.
3. The date and time of sterilizer and/or abator malfunctions and maintenance.
4. Records are to be maintained on site for a period of five (5) years.

Condition # 97 for 6 NYCRR 227-2.4(d): This condition is an emission unit level for Record Keeping/Maintenance Procedures for Oxides of Nitrogen that applies to EU: U-00003. This condition is for the NO_x RACT condition for small boilers (those with a heat input less than or equal to 50 mm Btu/hr) and applies to the two 10.46 MM Btu/hr each New Shipley boilers with Emission Sources ES010 & ES011, firing natural gas (Process NG2) only in EU: U-00003, which are the four Johnston boilers, 30 MM Btu/hr each, operating on natural gas (Process NG1) and # 2 fuel oil (Process OL2).

This condition specifies that the reasonably available control technology (RACT) requirement for small boilers (< or = 50 million BTUs/hr) at Title V facilities consists of an annual tune-up. The owner or operator of a small boiler (between 20 and 50 mm Btu/hr) shall maintain a log (in the format acceptable to the Department as in Air Guide 33) containing the following information:

- (1) The date which the equipment was adjusted; and
- (2) The name, title, and affiliation of the person who adjusted the equipment.



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Annual tune-up maintenance usually includes not only some aspects of daily, weekly, and monthly scheduled maintenance, but also focuses on tests, evaluations and adjustments necessary for efficient combustion. Annual tune-up maintenance requirements must include a tune-up checklist (see Appendix A of Air Guide 33) and written procedures.

Condition # 100 for 40 CFR 60.48c(a), NSPS Subpart Dc: This condition is an emission unit level condition for Record Keeping/Maintenance Procedures that applies to EU: U-00003. This condition requires the owner and operator of each affected facility to submit notification of the date of construction or reconstruction, anticipated startup, and actual startup of the facility. The notification must include the following information:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

Condition # 101 for 6 NYCRR 227-1.3(a): This condition is an emission unit level, emission point level and process level condition for Monitoring of Process or Control Device Parameters as Surrogate for Opacity that applies to EU: U-00003, EP: EP003 and Proc: NG2. This condition 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. These conditions require a daily inspection for visible emissions. If visible emissions are noted for two consecutive days, a Method 9 test must be performed.

Condition # 105 for 6 NYCRR 227-1.3(a): This condition is an emission unit level, emission point level and process level condition for Monitoring of Process or Control Device Parameters as Surrogate for Opacity that applies to EU: U-00003, EP: EP004 and Proc: NG2. This condition 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. These conditions require a daily inspection for visible emissions. If visible emissions are noted for two consecutive days, a Method 9 test must be performed.



**New York State Department of Environmental Conservation
Permit Review Report**

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