

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 2-6005-00139/00002 Renewal Number: 1



08/18/2006

Facility Identification Data

Name: PARKCHESTER SOUTH CONDOMINIUM
Address: 2020 EAST TREMONT AVE
BRONX, NY 10462

Owner/Firm

Name: PARKCHESTER SOUTH CONDOMINIUM
Address: 2000 EAST TREMONT AVENUE
BRONX, NY 10462-5703, USA
Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:
Name: ELIZABETH A CLARKE
Address: ONE HUNTERS POINT PLAZA
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407
Phone:7184824997

Division of Air Resources:
Name: DIANA MENASHA
Address: NYSDEC REGION 2 OFFICE
HUNTERS POINT PLAZA
LONG ISLAND CITY, NY 11101
Phone:7184827263

Air Permitting Contact:
Name: MICHAEL NACLERIO
Address: PARKCHESTER SOUTH CONDOMINIUM
2000 EAST TREMONT AVE
BRONX, NY 10462
Phone:7183206005

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.

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Summary Description of Proposed Project

Parkchester South Condominium has been in existence since 1939. The facility is applying for a Title V renewal. The existing Title V was issued on 9/10/2001 and is due to expire on 9/9/2006.

Parkchester South Condominium operates four Foster Wheeler boilers, Boilers 001, 002, 003 and 004 (Emission Sources 00001, 00002, 00003 & 00004, respectively) in Emission Unit U-00001. Each boiler is rated at 104 MM Btu/hr and all four boilers discharge through a common stack, identified as Emission Point 00001. The four boilers burn both natural gas (Process 001) and # 6 fuel oil (Process 002).

The facility was issued a modified (Mod 2) Title V permit on 1/27/2006, so that the boilers are allowed to burn 5.5 million gallons of # 6 fuel oil instead of 4.5 million gallons of # 6 fuel oil. The modification (Mod 2) has allowed Parkchester South Condominium to burn 5.5 million gallons of # 6 fuel oil instead of the past cap of 4.5 million gallons of # 6 fuel oil in its boilers. The boilers are dual fuel, the other fuel is natural gas.

Attainment Status

PARKCHESTER SOUTH CONDOMINIUM 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

Parkchester South Condominium has been in existence since 1939. The facility is applying for a Title V



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renewal. The existing Title V was issued on 9/10/2001 and is due to expire on 9/9/2006. This facility provides heat and hot water for approximately one-hundred and seventy-two (172) buildings and twelve thousand two hundred and seventy one (12,271) apartments using four (4) dual fuel (natural gas & # 6 fuel oil) boilers that discharge through one common stack.

Parkchester South Condominium operates four Foster Wheeler boilers, Boilers 001, 002, 003 and 004 (Emission Sources 00001, 00002, 00003 & 00004, respectively) in Emission Unit U-00001. Each boiler is rated at 104 MM Btu/hr and all four boilers discharge through a common stack, identified as Emission Point 00001. The four boilers burn both natural gas (Process 001) and # 6 fuel oil (Process 002).

The facility was issued a modified (Mod 2) Title V permit on 1/27/2006, so that the boilers are allowed to burn 5.5 million gallons of # 6 fuel oil instead of 4.5 million gallons of # 6 fuel oil. The modification (Mod 2) has allowed Parkchester South Condominium to burn 5.5 million gallons of # 6 fuel oil instead of the past cap of 4.5 million gallons of # 6 fuel oil in its boilers. The boilers are dual fuel, the other fuel is natural gas.

Since the calculated net emissions increase for any regulated PSD pollutant, emitted by a major stationary source, is less than the defined significant net emissions, it is concluded that the modification (Mod 2) does not result in a significant net emissions increase (above the baseline) for any criteria pollutant. For sulfur dioxide, the net emission increase is 33.5 TPY, which is less than the 40 TPY de minimus emission level limit. Therefore, the modification (Mod 2) does fall under PSD regulations and is not subject to PSD requirements.

With the issuance of the Title V modification (Mod 2) on 1/27/2006, the facility was allowed to use up to 5.5 million gallons of # 6 fuel oil per year and hence is capping out of 40 CFR 52-A.21, Prevention of Significant Deterioration by limiting the emission of Sulfur Dioxide to 130 tons per year for any twelve consecutive months.

The facility operates other sources which are considered exempt from permitting in accordance with 6NYCRR 201-3.2(c), including four (4) fuel oil storage tanks (<300,000 bbls).

Permit Structure and Description of Operations

The Title V permit for PARKCHESTER SOUTH CONDOMINIUM 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.



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[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.

PARKCHESTER SOUTH CONDOMINIUM is defined by the following emission unit(s):

Emission unit U00001 - Emission Unit U-00001 is comprised of four Foster Wheeler boilers, Boilers 001, 002, 003 and 004 (Emission Sources 00001, 00002, 00003 & 00004, respectively). Each boiler is rated at 104 MM Btu/hr and all four boilers discharge through a common stack, identified as Emission Point 00001. The four boilers burn both natural gas (Process 001) and # 6 fuel oil (Process 002).

Boilers 001, 002, 003 and 004 (Emission Sources 00001, 00002, 00003 & 00004) fire both natural gas & # 6 fuel oil. The NO_x RACT rule limit for large gas/oil boilers is 0.30 lb/MM Btu. In order for the facility to meet the NO_x-RACT compliance plan for the four Foster Wheeler boilers, the facility converted the four boilers from oil to oil & gas. These modifications/conversions were done by Con Edison in 1996. Boiler 001 was converted from oil to oil & gas on July 29, 1996 and the start-up date was September 20, 1996. Boiler 002 was converted from oil to oil & gas on April 15, 1996 and the start-up date was June 7, 1996. Boiler 003 was converted from oil to oil & gas on June 10, 1996 and the start-up date was August 2, 1996. Finally, Boiler 004 was converted from oil to oil & gas on September 16, 1996 and the start-up date was November 8, 1996.

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

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

Process: 001 is located at FIRST FLOOR, Building BPLANT - Process 001 is the firing of natural gas in Boilers 001, 002, 003 & 004 (Emission Sources 00001, 00002, 00003 & 00004, respectively) in Emission Unit U-00001. These four Foster Wheeler boilers burn both # 6 fuel oil and natural gas, and each boiler is rated at 104 MM Btu/hr. All four boilers discharge through a common stack, identified as Emission Point 00001.

With the issuance of this Title V modification (Mod 1), the facility is requesting to use up to 5.5 million gallons of # 6 fuel oil per year and hence is capping out of 40 CFR 52-A.21, Prevention of Significant Deterioration by limiting the emission of Sulfur Dioxide to 130 tons per year for any twelve consecutive months. Since the differential between 130 tpy and 95 tpy is 35 tpy, less than the 40 tpy de minimus, this facility is not subject to this facility.

Process: 002 is located at Building BPLANT - Process 002 is the firing of # 6 fuel oil in Boilers 001, 002, 003 & 004 (Emission Sources 00001, 00002, 00003 & 00004, respectively) in Emission Unit U-00001. These four Foster Wheeler boilers burn both # 6 fuel oil and natural gas, and each boiler is rated at 104 MM Btu/hr. All four boilers discharge through a common stack, identified as Emission Point

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00001.

With the issuance of this Title V modification (Mod 1), the facility is requesting to use up to 5.5 million gallons of # 6 fuel oil per year and hence is capping out of 40 CFR 52-A.21, Prevention of Significant Deterioration by limiting the emission of Sulfur Dioxide to 130 tons per year for any twelve consecutive months. Since the differential between 130 tpy and 95 tpy is 35 tpy, mis below the 40 tpy deminimus, this facility is not subject to this facility.

Title V/Major Source Status

PARKCHESTER SOUTH CONDOMINIUM is subject to Title V requirements. This determination is based on the following information:

Parkchester South Condominium 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. Also, the potential emissions of sulfur dioxide is greater than the major source thresholds, which is 25 tons per year for sulfur dioxide.

Program Applicability

The following chart summarizes the applicability of PARKCHESTER SOUTH CONDOMINIUM 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	NO
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

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NOTES:

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

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

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

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

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

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

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

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

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

SIC Code	Description
6513	APARTMENT BUILDING OPERATORS

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
1-03-006-02	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - NATURAL GAS 10-100 MMBtu/Hr
1-03-004-01	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - RESIDUAL OIL Grade 6 Oil

Facility Emissions Summary

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

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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 of material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term ‘HAP’ refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000630-08-0	CARBON MONOXIDE		>= 25 tpy but < 40 tpy
0NY100-00-0	HAP		>= 2.5 tpy but < 10 tpy
007439-92-1	LEAD (HAP)		> 0 but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN		>= 100 tpy but < 250 tpy
0NY075-00-0	PARTICULATES		>= 40 tpy but < 50 tpy
0NY075-00-5	PM-10		>= 40 tpy but < 50 tpy
007446-09-5	SULFUR DIOXIDE	260000	
0NY998-00-0	VOC		>= 2.5 tpy but < 10 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions,

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and corrective actions taken.

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

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

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

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

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

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

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

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

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

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

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

This permit may be modified, revoked, reopened and reissued, or

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

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

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

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

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

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

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

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

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such

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pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

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

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

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

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

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

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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

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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

Location Facility/EU/EP/Process/ES	Regulation	Short Description	Condition
FACILITY	ECL 19-0301	Powers and Duties of the Department with respect to air pollution control	37
U-00001/00001/002	40CFR 52-A.21	Prevention of Significant Deterioration	34, 35
FACILITY	40CFR 68	Chemical accident prevention provisions	21
FACILITY	40CFR 82-F	Protection of Stratospheric Ozone - recycling and emissions reduction	22
FACILITY	6NYCRR 200.6	Acceptable ambient air quality.	1
FACILITY	6NYCRR 200.7	Maintenance of equipment.	10
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	38
FACILITY	6NYCRR 201-1.7	Recycling and Salvage	11
FACILITY	6NYCRR 201-1.8	Prohibition of reintroduction of collected contaminants to the air	12
FACILITY	6NYCRR 201-3.2(a)	Exempt Activities - Proof of eligibility	13
FACILITY	6NYCRR 201-3.3(a)	Trivial Activities - proof of eligibility	14
FACILITY	6NYCRR 201-6	Title V Permits and the Associated Permit Conditions	23, 29, 30
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FACILITY	6NYCRR 202-1.1	Required emissions tests.	19
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FACILITY	6NYCRR 211.2	General Prohibitions - air pollution prohibited.	39
FACILITY	6NYCRR 211.3	General Prohibitions - visible emissions limited	20
FACILITY	6NYCRR 215	Open Fires	9
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FACILITY	6NYCRR 225-1.8	Reports, sampling and analysis.	26
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U-00001/00001	6NYCRR 227-1.3	Smoke Emission Limitations.	31
U-00001/00001	6NYCRR 227-1.4(a)	Stack Monitoring. (see narrative)	40
U-00001/00001	6NYCRR 227-2.4(b)	Control Requirements for large boilers.	32
FACILITY	6NYCRR 227-2.5(a)	Fuel Switching	28
U-00001/00001	6NYCRR 227-2.6(c)	Stack Test Requirements.	33

Applicability Discussion:

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

ECL 19-301.

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.

6NYCRR Part 200-.6

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

6NYCRR Part 200-.7

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

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6NYCRR Part 201-1.4

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

6NYCRR Part 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6NYCRR Part 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6NYCRR Part 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.

6NYCRR Part 201-3.3(a)

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

6NYCRR Part 201-6

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.

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6NYCRR 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.

6NYCRR 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.

6NYCRR 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.

6NYCRR Part 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.

6NYCRR Part 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.

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

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

6NYCRR 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

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with emission standards, be submitted semiannually.

6NYCRR Part 201-6.5(e)

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

6NYCRR 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.

6NYCRR Part 201-6.5(g)

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

6NYCRR Part 202-1.1

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.

6NYCRR Part 202-2.1

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

6NYCRR Part 202-2.5

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.

6NYCRR Part 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 Part 211.3

This condition requires that the opacity (i.e., the degree to which emissions other than water reduce the transmission of light) of the emissions from any air contamination source be less than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent.

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6 NYCRR Part 215

Prohibits open fires at industrial and commercial sites.

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, PARKCHESTER SOUTH CONDOMINIUM has been determined to be subject to the following regulations:

40CFR 52-A.21

This citation applies to facilities that are subject to Prevention of Significant Deterioration provisions; ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) .

6NYCRR 201-7

This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is 130 tons of sulfur dioxide and 5.5 million gallons of # 6 fuel oil.

6NYCRR 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).**

6NYCRR 225-1.8

This regulation requires an owner or operator of a facility which purchases and fires coal and/or oil to s

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submit reports to the commissioner containing fuel analysis data, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1.

6NYCRR 227 .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.

6NYCRR 227-1.3

This regulation requires a limitation and compliance monitoring for opacity from a stationary combustion installation.

6NYCRR 227-1.4 (a)

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

6NYCRR 227-2.4 (b)

This paragraph provides a table for gas only, gas and/or oil firing capable, pulverized coal, and overfeed stoker emission limits. Compliance is determined by a stack test.

6NYCRR 227-2.5 (a)

This citation is for fuel switching option. The owner/operator of a combustion installation covered under subpart 227-2.5(a) may commit to burning a cleaner fuel, such as natural gas, during the ozone season. Fuel switching must result in quantifiable annual NO_x emissions equal to or less than the NO_x emissions expected if the combustion installation complied with the emission limits in 227-2.4.

6NYCRR 227-2.6 (c)

This citation is for stack test requirements. The owner or operator of the facility is required to test for NO_x emission and follow monitoring and reporting requirements. The stack testing for NO_x emission requires the facility to:

- (1) Submit a compliance test protocol to the department for approval at least 90 days prior to emission testing. The condition of the testing and the locations of the sampling devices must be acceptable to the department; and
- (2) Utilize procedures set forth in 40 CFR Part 60, Appendix A or any other method acceptable to the department and EPA for determining compliance with the appropriate NO_x limit in section 227-2.4 of this Subpart, and shall follow the procedures set forth in Part 202 of this Title.
 - (i) For large and mid-size boilers, utilize Method 7, 7E, or 19 from 40 CFR Part 60, Appendix A or another reference method approved by the department.
 - (ii) For simple cycle combustion turbines, utilize Method 20 from 40 CFR Part 60, Appendix A or another reference method approved by the department.



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(iii) For combined cycle combustion turbines, utilize Method 7, 7E, 19 or 20 from 40 CFR Part 60, Appendix A or another reference method approved by the department.

(iv) For internal combustion engines, utilize Method 7, 7E or 19 from 40 CFR Part 60, Appendix A or another reference method approved by the department.

Non Applicability Analysis

List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Short Description	Regulation
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FACILITY	Prevention of Significant Deterioration	40CFR 52-A.21
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Reason: Parkchester South Condominium was issued a minor modification (Mod 2) on 1/27/2006. The modification (Mod 2) will allow Parkchester South Condominium to burn 5.5 million gallons of # 6 fuel oil instead of the previous cap of 4.5 million gallons of # 6 fuel oil in its boilers. The boilers are dual fuel, the other fuel is natural gas. This modification did not meet the strict definition of a major modification, since the project does not result in a significant net emissions increase nor a significant emissions increase of any regulated PSD pollutant.

The period, 10/1/2003 to 9/30/2005, serves as the baseline and the average of the two years is calculated. Baseline actual emissions are taken from the actual fuel use data. The net emissions increase for the project is then calculated as the difference between the projected actual emissions and baseline actual emissions. This calculation is shown below in the NET EMISSIONS INCREASE. As per 40 CFR 52.21(b) (23) (i), significant means, in reference to net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

Carbon Monoxide: 100 TPY
Nitrogen Oxides: 40 TPY
Sulfur Dioxide: 40 TPY
Particulate Matter: 25 TPY
PM-10: 15 TPY

As per 40 CFR 52.21(b) (3) (i), NET EMISSION INCREASE with respect to any regulated PSD pollutant emitted by a major stationary source, is calculated below. No applicable changes have occurred at the facility during the contemporaneous period, therefore no contemporaneous changes need to be considered in the calculation of this project's net emission increase.

NET EMISSION INCREASE:

Table with 6 columns: Pollutant, Total Actual Emissions, Total BaeLine Emissions, Net Increase Emis, De Minimis, on Emission Limit. Rows include Particulates and Sulfur Dioxide.



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Oxides of Nitrogen	172.3	171.6	0.7	40
Carbon Monoxide	28.2	33.1	-4.9	100
Lead	0.004	0.003	0.001	0.6
VOC	4.1	3.8	0.3	40

Since the calculated net emissions increase for any regulated PSD pollutant, as shown above, emitted by a major stationary source, is less than the defined significant net emissions, it is concluded that this project does not result in a significant net emissions increase (above the baseline) for any criteria pollutant. For sulfur dioxide, the net emission increase is 33.5 TPY, which is less than the 40 TPY de minimis emission level limit. Therefore, this project does fall under PSD regulations and is not subject to PSD requirements.

When the Title V (Mod 2) was issued on 1/27/2006, the facility was allowed to use up to 5.5 million gallons of # 6 fuel oil per year and hence is capping out of 40 CFR 52-A.21, Prevention of Significant Deterioration by limiting the emission of Sulfur Dioxide to 130 tons per year for any twelve consecutive months.

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 PARKCHESTER SOUTH CONDOMINIUM:

Location Facility/EU/EP/Process/ES	Type of Monitoring	Cond No.
FACILITY	record keeping/maintenance procedures	5
FACILITY	record keeping/maintenance procedures	6
U-00001/00001/002	work practice involving specific operations	34
U-00001/00001/002	monitoring of process or control device parameters as surrogate	35
FACILITY	record keeping/maintenance procedures	7
FACILITY	work practice involving specific operations	27
FACILITY	record keeping/maintenance procedures	26
U-00001/00001/002	intermittent emission testing	36
U-00001/00001	continuous emission monitoring (cem)	31
U-00001/00001	monitoring of process or control device parameters as surrogate	40
U-00001/00001	monitoring of process or control device parameters as surrogate	32
FACILITY	record keeping/maintenance procedures	28
U-00001/00001	intermittent emission testing	33

Basis for Monitoring

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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 has 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.

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 general requirements for compliance certification content (including emission limitations, standards or work practices); specifies an annual submittl frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

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 is a requirements for all Title V facilities. These facilities must submit an annual emission statement by April 15th of each year for emissions of the previous calendar year.

Condition # 26 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. All records shall be available for a minimum of three years.

Condition # 27 for 6 NYCRR 225.1(a)(3): This is a facility-wide condition. 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 0.30 % by weight for residual fuel (#4., #5, and/or # 6 fuel oil) for the New York City area. 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 # 28 for 6 NYCRR 227-2.5(a): This is a facility-wide condition. This condition is for Record Keeping/Maintenance Procedures for Oxides of Nitrogen. This condition is for fuel switching option. The owner/operator of a combustion installation covered under subpart 227-2.5(a) may commit to burning a cleaner fuel, such as natural gas, during the ozone season from May 1 to September 15. Fuel switching must result in quantifiable annual NOx emissions equal to or less than the NOx emissions

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expected if the combustion installation complied with the emission limits in 227-2.4.of this subpart.

Condition # 31 for 6 NYCRR 227-1.3: This condition is an emission unit level and emission point level monitoring condition for Continuous Emission Monitoring (CEM) for visible emissions for opacity that applies to EU: U-00001 & EP: 00001. This condition requires a limitation and compliance monitoring for opacity from a stationary combustion installation. This condition is for monitoring continuously the visible emissions using a Continuous Opacity Monitor (COM).

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.

This condition requires stack opacity not exceed 20 percent (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. Compliance with this standard may be determined by EPA Reference Method 9, Continuous Opacity Monitoring System (COMS) data, and/or any other credible evidence. The owner shall install, operate in accordance with manufacturer's instructions, and properly maintain, a COMS in the stack satisfying the criteria Appendix B of 40 CFR Part 60.

The owner shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar year quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department.

Condition # 32 for 6 NYCRR 227-2.4(b): This condition is an emission unit level and emission point level monitoring condition for Monitoring of Process or Control Device Parameters as Surrogate that applies to EU: U-00001 and EP: 00001 for Oxides of Nitrogen. This condition provides a NOx limit of 0.30 lbs/mmBtu for gas and/or oil firing capable emission limit. Compliance is determined by a stack test.

Effective may 31, 1995, any owner or operator of a large boiler must comply with the listed NOx RACT emission limit. The NOx limit for large gas/oil boilers is 0.30 lb NOx/mmBtu. Compliance with these emission limits shall be determined with a one hour average in accordance with the provisions of section 227-2.6(a)(3) of this subpart unless the owner/operator opts to utilize continuous emission monitoring systems (CEMS) under the provisions of section 227-2.6(a)(2) of this subpart. If CEMS are utilized, the requirements of section 227-2.6(b) of this subpart apply, including the use of a 24 hour averaging period.

Condition # 33 for 6 NYCRR 227-2.6(c): This condition is an emission unit level and emission point level monitoring condition for Intermittent Emission Testing that applies to EU: U-00001 and EP: 00001 for Oxides of Nitrogen.

This condition is for stack test requirements. The owner/operator of large boilers shall perform testing to verify NOx emissions to demonstrate compliance with 227-2.6. The owner/operator of large boilers shall measure NOx emissions by performing stack tests described in subdivision (c) of section 227-2.6. The NOx RACT limit for large gas/oil boilers is 0.30 pounds per million BTU per hour. The owner or

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operator of the facility is required to test for NOx emission and follow monitoring and reporting requirements. The stack testing for NOx emission requires the facility to:

- (1) Submit a compliance test protocol to the department for approval at least 90 days prior to emission testing. The condition of the testing and the locations of the sampling devices must be acceptable to the department; and
- (2) Utilize procedures set forth in 40 CFR Part 60, Appendix A or any other method acceptable to the department and EPA for determining compliance with the appropriate NOx limit in section 227-2.4 of this Subpart, and shall follow the procedures set forth in Part 202 of this Title.
 - (i) For large and mid-size boilers, utilize Method 7, 7E, or 19 from 40 CFR Part 60, Appendix A or another reference method approved by the department.

Condition # 34 for 6 NYCRR 201-7, Capping out of 40 CFR 52-A.21: This condition is an emission unit level , emission point level and process level monitoring condition for Work Practice Involving Specific Operations for VOC that applies to EU: U-00001, EP: 00001 & Proc: 002. This condition applies to facilities that are subject to Prevention of Significant Deterioration provisions; ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) such as Sulfur Dioxide. But, this facility is capping out of 40 CFR 52-A.21, Prevention of Significant Deterioration, by limiting # 6 fuel oil usage to 55 million gallons for any twelve (12) consecutive months. The facility shall maintain fuel consumption records on a daily, monthly, and every twelve (12) consecutive months basis.

The heat value of # 6 fuel oil is 148,000 MM Btu/gallon, and the heat value of natural gas is 1,025 MM Btu/cu ft. The sulfur content limit in # 6 fuel oil is 0.30 % by weight. The emission rate of sulfur dioxide (SO₂) in # 6 fuel oil is 47.1 lb/1,000 gallons, therefore;

$$5,500,000 \text{ gallons/yr} \times 47.1 \text{ lb/1,000 gallons} \times 2,000 \text{ lb/1 ton} = 129.5 \text{ tons/yr of SO}_2$$

The SO₂ net emission increase < 40 TPY, which is the de minimis emission limit for SO₂. Therefore, this modification is not PSD applicable.

Condition # 35 for 6 NYCRR 201-7, Capping out of 40 CFR 52-A.21: This condition is an emission unit level , emission point level and process level monitoring condition for Monitoring of Process or Control Device Parameters as Surrogate for Sulfur Dioxide that applies to EU: U-00001, EP: 00001 & Proc: 002. This condition applies to facilities that are subject to Prevention of Significant Deterioration provisions; ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) , such as Sulfur Dioxide. But, this facility is capping out of 40 CFR 52-A.21, Prevention of Significant Deterioration, by limiting # 6 fuel oil usage to 55 million gallons for any twelve (12) consecutive months. This amount translates to about 95 tons per year of Sulfur Dioxide. The facility shall maintain fuel consumption records on a daily, monthly, and every twelve (12) consecutive months basis.

The heat value of # 6 fuel oil is 148,000 MM Btu/gallon, and the heat value of natural gas is 1,025 MM Btu/cu ft. The sulfur content limit in # 6 fuel oil is 0.30 % by weight. The emission rate of sulfur dioxide

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(SO₂) in # 6 fuel oil is 47.1 lb/1,000 gallons, therefore;

5,500,000 gallons/yr x 47.1 lb/1,000 gallons x 2,000 lb/1 ton = 129.5 tons/yr of SO₂

The SO₂ net emission increase < 40 TPY, which is the de minimis emission limit for SO₂. Therefore, this modification is not PSD applicable.

Condition # 36 for 6 NYCRR 227.2(b)(1): This condition is an emission unit level and emission point level Intermittent Emission Testing condition for Particulates that applies to EU: U-00001 and EP: 00001. 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 lbs/mmBtu based on a 2 hour average emission for any oil fired stationary combustion installation.

Condition # 40 for 6 NYCRR 227-1.4(a): This condition is an emission unit level and emission point level monitoring condition for Monitoring of Process or Control Device Parameters as Surrogate for opacity that applies to EU: U-00001 & EP: 00001.

This condition requires any person who owns a stationary combustion installation (excluding gas turbines), with a total maximum heat input capacity exceeding 250 million Btu per hour to install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments satisfying the criteria in appendix B of title 40, part 60 of the Code of Federal Regulations, or approved by the commissioner on an individual case basis, for continuously monitoring and recording opacity, and when sulfur dioxide continuous monitoring is required by Part 225 of this Title, for continuously monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. Where gas is the only fuel burned, monitoring and recording of opacity is not required.