



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6005-00139/00002

Renewal Number: 2

Modification Number: 1 11/14/2014

Facility Identification Data

Name: PARKCHESTER SOUTH CONDOMINIUM
Address: 2020 E 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

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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

This modification to the existing Title V Permit is being submitted to address the new NOx RACT requirements for Stationary Combustion Installations for the four (4) boilers (Emission Sources 00001, 00002, 00003 & 00004) serving Parkchester South Condominium. To address the new NOx RACT



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requirements, Parkchester will de-rate their four boilers from Large Boiler category to Mid-size Boilers by July 1, 2014 (from 104 MM Btu/hr to 99 MM Btu/hr) and commit burning a cleaner fuel between May 1 and September 30. This commitment will allow 10 days to fall back to burning #6 fuel oil (Process 002) during natural gas (Process 001) interruptions brought about by the natural gas supplier. Compliance with 6 NYCRR 227-2.5 (a) will be achieved by judicious use of #6 fuel oil from October 1 to April 30 such that annual NOx emissions will be equal to or less than the NOx emissions expected if the source complied with the presumptive RACT limit set forth in 6 NYCRR 227-2.4.

Prior to July 1, 2014, emission factors that were measured during the November 17, 2010 stack test will be used to determine the actual NOx emissions from the combustion processes. They are 0.29 lbs/MM Btu for #6 fuel oil and 0.14 lbs/MM Btu for natural gas.

Emission Factors from the November 17, 2010:

0.20 lbs/MM Btu Allowable

0.29 lbs/MM Btu for #6 fuel oil

0.14 lbs/MM Btu for natural gas

The presumptive NOx RACT limit is 0.20 lbs/MM Btu beginning July 1, 2014. The allowable mass emissions change based on the quantity of Btus combusted.

Parkchester has developed a calculation scenario to predict the quantity of #6 fuel oil that can be burned annually based on the annual Btu requirements to meet their heating needs. As more natural gas is burned, the quantity of Btus burned increases, which in turn increases the allowable NOx formation. The favorable actual NOx concentration while burning natural gas results in an increase in the amount of #6 fuel oil that can be burned. The facility has submitted a list of calculations to determine the allowable # 6 fuel oil and natural gas use.

The most recent stack testing was completed on November 17, 2010, and the results indicate NOx emissions of 0.29 lbs/MM Btu for #6 fuel oil and 0.14 lbs/MM Btu for natural gas.

The current maximum annual Btu usage occurred in 2004. It showed that 4,472,055 gallons of #6 fuel oil and 292,873,000 cubic feet of natural gas were burned.

Based on the emission factors from the November 10, 2010 stack testing, and heat value of 150,000 Btu/gal for #6 fuel oil and heat value of 1,050 Btu/SCF for natural gas, the Total MM Btu's combusted in 2004 was:

$(4,472,055 \text{ gallons} \times 150,000 \text{ Btu/gal}) + (292,873,000 \text{ Cubic feet} \times 1,050 \text{ Btu/SCF}) = 978,325 \text{ Total MM Btus}$

The current maximum annual Btu usage occurred in 2004. The calculations show the combined #6 fuel oil and natural gas usage that will allow combustion of 143% of the 2004 Btus down to 46% of the 2004 usage and still satisfy the Fuel Switching Compliance Option of 6 NYCRR 227-2.5 (a).

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



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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 boiler plant provides steam to generate heat and hot water for 172 residential buildings using four (4) dual fuel boilers (Emission Sources 00001, 00002, 00003 & 00004 in Emission Unit U-00001) that discharge through one common stack (Emission Point 00001). The facility has been in existence since 1939. Steam is produced by the four Foster Wheeler type D boilers burning natural gas (Process 001) or #6 fuel oil (Process 002). The four boilers have been de-rated from 104 MM Btu/hr to 99 MM Btu/hr each by July 1, 2014. As of 8/17/2006, the facility capped out of PSD for sulfur dioxide by limiting #6 fuel oil usage to 5.5 million gallons for any 12 consecutive month period. Each of the four boilers currently has a heat input of 104 MM Btu/hr.

To address the new NOx RACT requirements for Stationary Combustion Installations for the four (4) boilers serving Parkchester South Condominium, the facility will de-rate their four boilers from Large Boiler category to Mid-size Boilers (from 104 MM Btu/hr to 99 MM Btu/hr) by July 1, 2014 and commit burning a cleaner fuel between May 1 and September 30.

Allowable emissions will be determined by calculating the annual MM Btu combusted using 150,000 Btu/gal for #6 fuel oil (FO) and 1,050 Btu/scf for natural gas (NG) and then comparing that result to the actual corresponding emissions.

Based on the emission factors from the November 10, 2010 stack testing, and heat value of 150,000 Btu/gal for #6 fuel oil and heat value of 1,050 Btu/SCF for natural gas, the Total MM Btu's combusted in 2004 was:

$$(\# \text{ gallons of } \#6 \text{ FO} \times 150,000 \text{ Btu/gal}) + (\# \text{ Cubic feet of NG} \times 1,050 \text{ Btu/SCF}) = \# \text{ Total MM Btus}$$

Actual corresponding NOx emissions is calculated as the product of the gallons of #6 fuel oil and 0.14 lbs NOx/ MM Btu and the 0.29 lbs NOx emission factor/ MM Btu added to the product of MM SCF NG and 1,050 Btu/SCF and the 0.14 lbs NOx/MM Btu.

$$\text{Total NOx emissions} = [(\text{gallons of } \#6 \text{ FO} \times 150,000 \text{ Btu/gal} \times 0.29 \text{ lbs NOx/MM Btus})] + [(\text{Cubic feet of NG} \times 1,050 \text{ Btu/SCF} \times 0.14 \text{ lbs NOx/ MM Btus})]$$



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The emission factors (EF) of 0.29 for # 6 fuel oil and 0.14 lbs NO_x/MM Btu for natural gas were determined by stack testing that was conducted on November 17, 2010. Compliance is achieved if the actual NO_x emission is < the allowable NO_x emission.

There are no emergency generators at this facility.

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. [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). Parkchester will de-rate their four boilers from Large Boiler category to Mid-size Boilers (from 104 MM Btu/hr to 99 MM Btu/hr) by July 1, 2014 and commit burning a cleaner fuel between May 1 and September 30. This commitment will allow 10 days to fall back to burning #6 fuel oil (Process 002) during natural gas (Process 001) interruptions brought about by the natural gas supplier. Compliance with 6 NYCRR 227-2.5 (a) will be achieved by judicious use of #6 fuel oil from October 1 to April 30 such that annual NO_x emissions will be equal to or less than the NO_x emissions expected if the source complied with the presumptive RACT limit set forth in 6 NYCRR 227-2.4 (0.20 lbs NO_x/MM Btus for mid-size boilers burning #6 FO/gas) . 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).

A large boiler is defined as a boiler with a maximum heat input capacity greater than 100 million Btu per hour and equal to or less than 250 million Btu per hour.

Mid-size boiler. 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.

Boilers 001, 002, 003 and 004 (Emission Sources 00001, 00002, 00003 & 00004) fire both natural gas & # 6 fuel oil. Prior to July 1, 2014, the NO_x RACT rule limit for large gas/oil boilers is 0.30 lb/MM Btu and for mid-size boilers is also 0.30 lb/MM Btu. And on or after July 1, 2014, the NO_x RACT rule limit



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for large gas/oil boilers will be 0.15 lb/MM Btu and for mid-size boilers will be 0.20 lb/MM Btu. In order for the facility to meet the NOx-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

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 (Process 002) and natural gas (Process 001), and each boiler will be de-rated from Large Boiler category to Mid-size Boilers (104 MM Btu/hr to 99 MM Btu/hr) by July 1, 2014. All four boilers discharge through a common stack, identified as Emission Point 00001.

Mid-size boiler: 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.

A large boiler is defined as a boiler with a maximum heat input capacity greater than 100 million Btu per hour and equal to or less than 250 million Btu per hour.

Boilers 001, 002, 003 and 004 (Emission Sources 00001, 00002, 00003 & 00004) fire both natural gas & # 6 fuel oil. Prior to July 1, 2014, the NOx RACT rule limit for large gas/oil boilers is 0.30 lb/MM Btu. And on or after July 1, 2014, the NOx RACT rule limit for mid-size gas/oil boilers will be 0.20 lb/MM Btu.

The facility 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. This is equivalent to a cap of 5.5 million gallons of # 6 fuel oil per year.

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 (Process 002) and natural gas (Process 001), and each boiler will be de-rated from Large Boiler category to Mid-size Boilers (104 MM Btu/hr to 99 MM Btu/hr) by July 1, 2014. All four boilers discharge through a common stack, identified as Emission Point 00001.

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.

A large boiler is defined as a boiler with a maximum heat input capacity greater than 100 million Btu per hour and equal to or less than 250 million Btu per hour.

Boilers 001, 002, 003 and 004 (Emission Sources 00001, 00002, 00003 & 00004) fire both natural gas & # 6 fuel oil. Prior to July 1, 2014, the NOx RACT rule limit for large gas/oil boilers is 0.30 lb/MM Btu. And on or after July 1, 2014, the NOx RACT rule limit for mid-size gas/oil boilers will be 0.20 lb/MM Btu.



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The facility 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. This is equivalent to a cap of 5.5 million gallons of # 6 fuel oil per year.

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

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,



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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 Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis

of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code

Description

6513

APARTMENT BUILDING OPERATORS

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SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information.Each SCC represents

a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

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

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.

Cas No.	Contaminant Name	PTE	Range
		lbs/yr	
007440-36-0	ANTIMONY	29	
007440-38-2	ARSENIC	7	
000071-43-2	BENZENE	7	
000095-47-6	BENZENE, 1, 2-DIMETHYL	0.6	
007440-41-7	BERYLLIUM	0.2	
007440-43-9	CADMIUM	2	
000630-08-0	CARBON MONOXIDE	291532	
007440-47-3	CHROMIUM	6	
007440-48-4	COBALT	33	
000100-41-4	ETHYLBENZENE	0.3	
000050-00-0	FORMALDEHYDE	260	



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000110-54-3	HEXANE	6247
007439-92-1	LEAD	8
007439-96-5	MANGANESE	16.5
007439-97-6	MERCURY	0.9
000091-20-3	NAPHTHALENE	6
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	465
ONY210-00-0	OXIDES OF NITROGEN	485888
ONY075-00-0	PARTICULATES	32384
ONY075-00-5	PM-10	27841
007782-49-2	SELENIUM	4
007446-09-5	SULFUR DIOXIDE	260000
000108-88-3	TOLUENE	34
ONY100-00-0	TOTAL HAP	6548
ONY998-00-0	VOC	19088

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;
- (3) During the period of the emergency the facility owner 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 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 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 - 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



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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 201-6.2(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 201-6.2(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 201-6.4(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 201-6.4(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 201-6.4(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 201-6.4(a)(6)

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

Item I: Severability - 6 NYCRR Part 201-6.4(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 201-6.4(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

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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 201-6.4(i)

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

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

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

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



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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

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description

FACILITY	ECL 19-0301	37	Powers and Duties of the Department with respect to air pollution control



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FACILITY	40CFR 52-A.21(j)	1	-13, 1	-14	Best Available Control Technology
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	38, 1		-22	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	1		-6	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, 1		-7	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3(a)	14, 1		-8	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	22, 34, 35			Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(4)	1		-9	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(7)	1		-1	General Conditions - Fees
FACILITY	6NYCRR 201-6.4(a)(8)	1		-10	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4(c)	1		-2	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4(c)(2)	1		-3	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4(c)(3)(ii)	1		-4	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4(d)(4)	1		-12	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4(e)	1		-5	Compliance Certification
FACILITY	6NYCRR 201-6.4(f)(6)	1		-11	Off Permit Changes
FACILITY	6NYCRR 201-7	23, 1		-13, 1 -14	Federally Enforceable Emissions Caps
FACILITY	6NYCRR 202-1.1	19			Required emissions tests.
FACILITY	6NYCRR 202-2.1	7			Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8			Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	1		-15	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	39			General Prohibitions - visible emissions



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FACILITY	6NYCRR 215.2	9	limited.
FACILITY	6NYCRR 225-1.2 (d)	1 -16	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.6	1 -17	Sulfur-in-Fuel Limitations
U-00001/00001/002	6NYCRR 227.2 (b) (1)	36	Reports, Sampling, and Analysis
FACILITY	6NYCRR 227-1.3	30	Particulate emissions.
U-00001/00001/002	6NYCRR 227-1.4 (a)	42	Smoke Emission Limitations.
FACILITY	6NYCRR 227- 2.4 (c) (1) (ii)	1 -18	Stack Monitoring. (see narrative)
FACILITY	6NYCRR 227-2.5 (a)	1 -19	2010 Nox RACT presumptive limit.
FACILITY	6NYCRR 227-2.6 (a)	1 -20	Fuel switching option.
FACILITY	6NYCRR 227-2.6 (c)	32, 1 -21	Applicable testing and/or monitoring requirements.
			Stack Test Requirements.

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 mitigating measures

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,



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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 201-6.4 (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.

6 NYCRR 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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



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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 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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 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 limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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



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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:

40 CFR 52.21 (j)

BACT determinations are made on a case-by-case basis and can be no less stringent than any requirement that exists in the current State Implementation Plan (SIP) or 40 CFR 60 and 61. Emission and operational limitations required from a BACT determination will have to be entered into the special permit conditions, separately by the permit reviewer.

6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

6 NYCRR 225-1.2 (d)

Sulfur-in-fuel limitations that fire residual oil in the downstate after July 1, 2014.

6 NYCRR 225-1.6

This section establishes the requirements for reporting, sampling, and analyzing fuel by subject facilities.

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.

6 NYCRR 227-1.3

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

6 NYCRR 227-1.4 (a)



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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.

6 NYCRR 227-2.4 (c) (1) (ii)

Future NO_x RACT presumptive limit effective 7/1/14.

6 NYCRR 227-2.5 (a)

Fuel switching NO_x RACT compliance option.

6 NYCRR 227-2.6 (a)

Applicable testing and/or monitoring requirements for emission sources subject to NO_x RACT.

6 NYCRR 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 conditions of the testing and the locations of the sampling devices must be acceptable to the department; and
- (2) follow the procedures set forth in Part 202 of this Title and use the following procedures set forth in 40 CFR part 60, appendix A, or any other method acceptable to the department and the administrator for determining compliance with the appropriate NO_x limit in section 227-2.4 of this Subpart;
 - (i) for large and mid-size boilers, use method 7, 7E, or 19 from 40 CFR part 60, appendix A;
 - (ii) for simple cycle combustion turbines or regenerative combustion turbines, use method 20 from 40 CFR part 60, appendix A;
 - (iii) for combined cycle combustion turbines, use method 7, 7E, 19 or 20 from 40 CFR part 60, appendix A;
 - (iv) for stationary internal combustion engines, use method 7, 7E, or 19 from 40 CFR part 60, appendix A;
- (3) submit a compliance test report containing the results of the emission test to the department for approval no later than 60 days after completion of the emission test.



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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 130 tons per year of sulfur dioxide for any twelve consecutive months, in order for the facility to cap out of 40 CFR 52-A.21, Preventive of Significant Deterioration.

Compliance Certification

Summary of monitoring activities at PARKCHESTER SOUTH CONDOMINIUM:

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

FACILITY	1-4	record keeping/maintenance procedures
FACILITY	1-5	record keeping/maintenance procedures
FACILITY	1-13	monitoring of process or control device parameters as surrogate
FACILITY	1-14	work practice involving specific operations
FACILITY	7	record keeping/maintenance procedures
FACILITY	1-16	work practice involving specific operations
FACILITY	1-17	record keeping/maintenance procedures
U-00001/00001/002	36	intermittent emission testing
FACILITY	30	continuous emission monitoring (cem)
U-00001/00001/002	42	monitoring of process or control device parameters as surrogate
FACILITY	1-18	intermittent emission testing
FACILITY	1-19	intermittent emission testing
FACILITY	1-20	record keeping/maintenance procedures
FACILITY	1-21	intermittent emission testing
FACILITY	32	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. In addition to record keeping/maintenance procedures requirements, this facility is required to comply with the following monitoring conditions:

Condition # 1-4 for 6 NYCRR 201-6.4 (c) (3) (ii): This is a facility-wide Record Keeping/Maintenance Procedures condition. This condition specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.



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Condition # 1-5 for 6 NYCRR 201-6.4 (e): This is a facility-wide Record Keeping/Maintenance Procedures condition. 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 Record Keeping/Maintenance Procedures condition. This condition sets forth the applicability criteria for submitting an annual statement of emissions. The criteria is based on annual emission threshold quantities and ozone attainment designation. This condition applies to all Title V facilities and these facilities must submit an annual emission statement by April 15th of each year.

Condition # 1-13 for 6 NYCRR 201-7, Capping out of 40 CFR 52-A.21 (j): This is a facility-wide condition. This condition is for Monitoring of Process or Control Device Parameters as Surrogate for Sulfur Dioxide. 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 the Sulfur Dioxide emission to 130 tons per year 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 # 1-14 for 6 NYCRR 201-7, Capping out of 40 CFR 52-A.21 (j): This is a facility-wide condition. This condition is for Work Practice Involving Specific Operations for Sulfur Dioxide. 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 5,500 thousand gallons per year for any twelve (12) consecutive months. The facility shall



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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 # 1-16 for 6 NYCRR 225-1.2 (d): This is a facility-wide condition. This condition is for Work Practice Involving Specific Operations for sulfur content for Sulfur Dioxide. This condition limits the amount or content of sulfur that can be in fuel burned at a stationary source. The residual fuel oil purchase is limited to 0.30 percent sulfur by weight on or after July 1, 2014. The sulfur content must be determined by the seller. Compliance with this limit will be based on vendor certifications. The facility must maintain a log of the sulfur content of oils on a per delivery basis.

Condition # 1-17 for 6 NYCRR 225-1.6: This is a facility-wide condition. This condition is for Record Keeping/Maintenance Procedures. The owner or operator of a facility which purchases and fires coal or oil shall submit reports to the commissioner containing a fuel analysis, 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 #30 for 6 NYCRR 227-1.3: This condition is an emission unit level, emission point level, process level and emission source/control level condition that applies to EU: U-00001, EP: 00001, Process: 002 and ES: 00001, 00002, 00003 & 00004 for Continuous Emission Monitoring (CEM) for visible emissions for opacity. 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.



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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 # 1-18 for 6 NYCRR 227-2.4 (c) (1) (ii): This condition is an emission unit level, emission point level, process level and emission source/control level condition that applies to Emission Unit: U-00001, Emission Point: 00001, Processes: 001 & 002 and Emission Sources/Controls: 00001, 00002, 00003 & 00004 for Intermittent Emission Testing for Oxides of Nitrogen.

The facility is required to perform testing the four mid-size 99 Million Btus each Foster Wheeler boilers (Emission Sources 00001, 00002, 00003 & 00004) to verify the NOx emission limit compliance. A mid-size boiler is 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. These four mid-size boilers operate on natural gas (Process 001) and on residual fuel oil (Process 002).

On or after July 1, 2014, the owner/operator of mid-size boilers (> 25 and equal to or <100 MM Btu/hr) boilers operating on oil/natural gas have a limit of 0.20 pounds of NOx per million Btus under the NOx RACT plan for mid-size boilers.

Condition # 1-19 for 6 NYCRR 227-2.5 (a): This condition is an emission unit level, emission point level, process level and emission source/control level condition that applies to Emission Unit: U-00001, Emission Point: 00001, Processes: 001 & 002 and Emission Sources/Controls: 00001, 00002, 00003 & 00004 for Intermittent Emission Testing for Oxides of Nitrogen.

This condition applies to the four mid-size 99 Million Btus each Foster Wheeler boilers (Emission Sources 00001, 00002, 00003 & 00004) to verify the NOx emission limit compliance. A mid-size boiler is a boiler with a maximum heat input capacity greater than



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25 million Btu per hour and equal to or less than 100 million Btu per hour. These four mid-size boilers operate on natural gas (Process 001) and on residual fuel oil (Process 002).

This condition is for Oxides of Nitrogen and a NO_x RACT emission limit of 0.20 pounds per million Btus on or after July 1, 2014. Due to the Fuel switching NO_x RACT compliance option, the NO_x RACT emission limit is 0.20 pounds per million Btus on or after July 1, 2014.

Condition # 1-20 for 6 NYCRR 227-2.6 (a): This condition is an emission unit level, emission point level, process level and emission source/control level condition that applies to Emission Unit: U-00001, Emission Point: 00001, Processes: 001 & 002 and Emission Sources/Controls: 00001, 00002, 00003 & 00004 for Intermittent Emission Testing for Oxides of Nitrogen.

This condition applies to the four mid-size 99 Million Btus each Foster Wheeler boilers (Emission Sources 00001, 00002, 00003 & 00004) to verify the NO_x emission limit compliance. A mid-size boiler is 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. These four mid-size boilers operate on natural gas (Process 001) and on residual fuel oil (Process 002).

The NO_x RACT for mid-size boilers operating on residual oil/natural gas is a limit of 0.30 pounds per million Btu per hour prior to July 1, 2014 and a limit of 0.20 pounds per million Btu per hour on or after July 1, 2014. 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.

Condition # 1-21 for 6 NYCRR 227-2.6 (c): This condition is an emission unit level, emission point level, process level and emission source/control level condition that applies to Emission Unit: U-00001, Emission Point: 00001, Processes: 001 & 002 and Emission Sources/Controls: 00001, 00002, 00003 & 00004 for Intermittent Emission Testing for Oxides of Nitrogen.

This condition is for stack test requirements. The owner/operator of mid-size boilers shall perform testing to verify NO_x emissions to demonstrate compliance with 227-2.6. A mid-size boiler is 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. The owner/operator of mid-size boilers shall measure NO_x emissions by performing stack tests described in subdivision (c) of section 227-2.6. The NO_x RACT limit is 0.20 pounds per million Btus on or after July 1, 2014 for mid-size oil/natural gas



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boilers. 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.

Condition #32 for 6 NYCRR 227-2.6 (c): This condition is an emission unit level, emission point level, process level and emission source/control level condition that applies to Emission Unit: U-00001, Emission Point: 00001, Processes: 001 & 002 and Emission Sources/Controls: 00001, 00002, 00003 & 00004 for Intermittent Emission Testing for Oxides of Nitrogen.

This condition is for stack test requirements. The owner/operator of large boilers shall perform testing to verify NO_x emissions to demonstrate compliance with 227-2.6. The owner/operator of large boilers shall measure NO_x emissions by performing stack tests described in subdivision (c) of section 227-2.6. The NO_x RACT limit is 0.30 pounds per million Btus prior to July 1, 2014 for large oil/natural gas boilers. 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.



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Condition #36 for 6 NYCRR 227.2(b)(1): This condition is an emission unit level, emission point level and process level condition that applies to Emission Unit: U-00001, Emission Point: 00001 and Process: 002 for Intermittent Emission Testing for Particulates. The upper limit is 0.10 pounds per million Btus.

Particulate emission limit for stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emission limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) All records shall be maintained at the facility for a minimum of five years.

This condition is from the 1972 version of Part 227 and still remains as part of New York's SIP. The 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 #42 for 6 NYCRR 227-1.4 (a): This condition is an emission unit level, emission point level and process level condition that applies to Emission Unit: U-00001, Emission Point: 00001 and Process: 002 for Monitoring of Process or Control Device Parameters as Surrogate for opacity. The upper limit for Opacity is 20%.

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 require.