

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 2-6104-00249/00004 Modification Number: 1



07/11/2003

Facility Identification Data

Name: NYC-HH - KINGS COUNTY HOSPITAL CENTER
Address: 451 CLARKSON AVENUE
City: BROOKLYN
Zip: 11203

Owner/Firm

Name: NYC HEALTH & HOSPITALS CORP
City: NEW YORK
State: NY Country: USA Zip: 10013
Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:
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Division of Air Resources:
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Air Permitting Contact:
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451 CLARKSON AVENUE
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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 Title V permit modification is intended to authorize the operation of six emergency generators at this facility under the Coordinated Demand Reduction Program (CDRP). Under the CDRP program, these

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generators will be operated to provide electric power to the facility during times of high local demand (i.e., peak load conditions), allowing the facility to disconnect from the local power grid, thus making power available elsewhere in the system. For purposes of this permit, the phrase "peak load conditions" shall refer to a period when the local power grid is at risk of being overloaded due to supply, transmission, or distribution constraints, usually during hot summer days, resulting in a high potential for electrical power loss to the local area. Under the CDRP, such extreme electrical power supply, transmission, or distribution emergencies may be declared by the New York Independent System Operator, the local transmission owner, or a local utility or power authority operating a peak load reduction or load management program.

The facility was initially authorized to operate under this program through the issuance of a state facility general permit. This modification will add the six diesel generators to the existing Title V permit for the facility along with all of the pertinent applicable state and federal requirements.

Attainment Status

NYC-HH - KINGS COUNTY HOSPITAL CENTER is located in the town of BROOKLYN in the county of KINGS.

The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

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

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

Facility Description

This facility is a hospital that operates five boilers, each rated at 49.9 mmBtu/hr, capable of firing natural gas and number 6 residual fuel. Additionally, this facility operates six non-exempt diesel generators for participation in the CDRP with a total generating capacity of 3320 kilowatts and which fire No. 2

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distillate fuel oil. The facility also operates two ethylene oxide sterilizers (emission rate potential less than 1.0 lb/hour) and sources which are considered exempt from permitting, including seven emergency backup generators, fuel oil storage tanks, and laboratory hoods.

Permit Structure and Description of Operations

The Title V permit for NYC-HH - KINGS COUNTY HOSPITAL CENTER is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process.

A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device.

[NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

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

NYC-HH - KINGS COUNTY HOSPITAL CENTER is defined by the following emission unit(s):

Emission unit U00003 - Emission unit U00003 consists of six (6) non-exempt diesel-powered generators that are included in the Coordinated Demand Reduction Program (CDRP). The six diesel-powered generators burn #2 diesel fuel and are identified as emission sources S0006, S0007, S0008, S0009, S0010 & S0011. The emissions from each of the six generators exhaust through individual emission points numbered 00003, 00004, 00005, 00006, 00007 & 00008, respectively.

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

00003, 00004, 00005, 00006, 00007, 00008

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

Process: 030This process is the burning of Number 2 distillate fuel oil (diesel) in the six emergency generators.

Emission unit U00001 - THE TWO BOILERS EACH RATED AT 49.9 MMBTU/HR BOTH CAPABLE OF BURNING NATURAL GAS AND NUMBER 6 RESIDUAL FUEL OIL LOCATED IN BUILDING Z (POWER HOUSE).

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

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00001

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

Process: 001 is located at POWER HOUSE, Building BLDG Z - NATURAL GAS IS BEING BURNED BY THE TWO CLEAVER BROOKS BOILERS RATED AT 49.9 MMBTU/HR LOCATED IN BLDG. Z.

Process: 002 is located at POWER HOUSE, Building BLDG Z - NUMBER 6 RESIDUAL OIL IS BEING BURNED BY THE TWO CLEAVER BROOKS BOILERS RATED AT 49.9 MMBTU/HR LOCATED IN BLDG. Z.

Emission unit U00002 - THE THREE BOILERS EACH RATED AT 49.9 MMBTU/HR EACH CAPABLE OF BURNING NATURAL GAS AND NUMBER 6 RESIDUAL FUEL OIL LOCATED IN BUILDING Z (POWER HOUSE).

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

00002

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

Process: 010 is located at POWER HOUSE, Building BLDG Z - NATURAL GAS IS BEING BURNED BY THE THREE CLEAVER BROOKS BOILERS RATED AT 49.9 MMBTU/HR LOCATED IN BLDG. Z.

Process: 020 is located at POWER HOUSE, Building BLDG Z - NUMBER 6 RESIDUAL OIL IS BEING BURNED BY THE THREE CLEAVER BROOKS BOILERS RATED AT 49.9 MMBTU/HR LOCATED IN BLDG. Z.

Title V/Major Source Status

NYC-HH - KINGS COUNTY HOSPITAL CENTER is subject to Title V requirements. This determination is based on the following information:

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

Program Applicability

The following chart summarizes the applicability of NYC-HH - KINGS COUNTY HOSPITAL CENTER with regards to the principal air pollution regulatory programs:

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



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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, 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.

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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
8062	GENERAL MEDICAL & SURGICAL HOSPITALS

SCC Codes

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

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

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2-03-001-01 INTERNAL COMBUSTION ENGINES -
 COMMERCIAL/INSTITUTIONAL
 COMMERCIAL/INSTITUTIONAL IC ENGINE - DISTILLATE OIL
 (DIESEL)
 Reciprocating

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

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000075-07-0	ACETALDEHYDE (HAP)	7.78	
000107-02-8	ACROLEIN (HAP)	0.94	
000071-43-2	BENZENE (HAP)	9.46	
000630-08-0	CARBON MONOXIDE	82820	
000067-66-3	CHLOROFORM (HAP)	5658	
000050-00-0	FORMALDEHYDE (HAP)	12935	
0NY100-00-0	HAP	43465	
007647-01-0	HYDROGEN CHLORIDE (HAP)	2646	
007439-92-1	LEAD (HAP)	469	
000067-56-1	METHYL ALCOHOL (HAP)	6534	
0NY210-00-0	OXIDES OF NITROGEN	199999	
0NY075-00-0	PARTICULATES	88040	
0NY075-00-5	PM-10	88040	
130498-29-2	POLYCYCLIC AROMATIC HYDROCARBONS (HAP)	1.7	
000115-07-1	PROPYLENE	26.2	
007446-09-5	SULFUR DIOXIDE	199999	
000108-88-3	TOLUENE (HAP)	4.14	
0NY998-00-0	VOC	39812	
001330-20-7	XYLENE, M, O & P MIXT. (HAP)	6281	

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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Item A: Sealing - 6NYCRR Part 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions

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apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

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

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

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

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

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

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

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

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

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

Item F: Recycling and Salvage - 6NYCRR Part 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

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Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8

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

Item H: 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 I: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item K: 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

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than eighteen months, prior to the date of permit expiration for permit renewal purposes.

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

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

Item O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

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

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conditions of this permit.

Item Q: 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 R: Fees - 6 NYCRR Part 201-6.5(a)(7)

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Item T: 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 U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a

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reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

Item W: 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

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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 X: 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

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exists.

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

Item Y: Required Emission Tests - 6 NYCRR Part 202-1.1

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Item AA: Open Fires - 6 NYCRR Part 215

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item BB: 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.

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Item CC: 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	Short Description	Condition
FACILITY	ECL 19-0301.	Powers and Duties of the Department with respect to air pollution control	1-16
FACILITY	40CFR 52-A.21	Prevention of Significant Deterioration	47, 46, 45, 44
U-00001	40CFR 52-A.21	Prevention of Significant Deterioration	51
U-00001/00001/002	40CFR 52-A.21	Prevention of Significant Deterioration	58, 59

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U-00002	40CFR 52-A.21	Prevention of Significant Deterioration	60
U-00002/00002/020	40CFR 52-A.21	Prevention of Significant Deterioration	69, 70
FACILITY	40CFR 68.	Chemical accident prevention provisions	1-8
FACILITY	40CFR 82.	Protection of Stratospheric Ozone	1-9
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	1-17
FACILITY	6NYCRR 201-6.	Title V Permits and the Associated Permit Conditions	28, 49, 50
FACILITY	6NYCRR 201-6.5 (c)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	1-1
FACILITY	6NYCRR 201-6.5 (c) (2)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	1-2
FACILITY	6NYCRR 201-6.5 (c) (3) (ii)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	1-3
FACILITY	6NYCRR 201-6.5 (e)	Compliance Certification	1-4
FACILITY	6NYCRR 201-6.5 (g)	Permit shield	32
FACILITY	6NYCRR 202-2.5	Emission Statements - record keeping requirements.	35
FACILITY	6NYCRR 211.2	General Prohibitions - air pollution prohibited.	73
FACILITY	6NYCRR 225.1 (a) (3)	Sulfur in Fuel Limitations (SIP)	1-5
FACILITY	6NYCRR 225.7 (a)	Reports, Sampling and Analysis	1-6
FACILITY	6NYCRR 225-1.2 (a) (2)	Sulfur in Fuel Limitations Post 12/31/87.	74
U-00001/00001/002	6NYCRR 225-1.2 (a) (2)	Sulfur in Fuel Limitations Post 12/31/87.	75
U-00002/00002/020	6NYCRR 225-1.2 (a) (2)	Sulfur in Fuel Limitations Post 12/31/87.	77
U-00003	6NYCRR 225-1.2 (a) (2)	Sulfur in Fuel Limitations Post 12/31/87.	1-18
FACILITY	6NYCRR 227.2 (b) (1)	Particulate emissions.	1-7
U-00003/-/030	6NYCRR 227.2 (b) (1)	Particulate emissions.	1-14
U-00001/00001/002	6NYCRR 227-1.2 (a) (2)	Particulate Emissions Firing Liquid Fuels Excluding Distillate Oil. (see narrative)	76
U-00002/00002/020	6NYCRR 227-1.2 (a) (2)	Particulate Emissions Firing Liquid Fuels Excluding Distillate Oil. (see narrative)	78
U-00001/00001/002	6NYCRR 227-1.3 (a)	Smoke Emission Limitations.	57
U-00002/00002/020	6NYCRR 227-1.3 (a)	Smoke Emission Limitations.	68



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U-00003	6NYCRR 227-1.3 (a)	Smoke Emission Limitations.	1-11, 1-12
FACILITY	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	40
U-00001/-/001/00001	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	52
U-00001/-/001/00002	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	53
U-00001/-/002/00001	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	54
U-00001/-/002/00002	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	55
U-00002/-/010/00003	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	61
U-00002/-/010/00004	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	62
U-00002/-/010/00005	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	63
U-00002/-/020/00003	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	64
U-00002/-/020/00004	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	65
U-00002/-/020/00005	6NYCRR 227-2.4 (d)	RACT for Oxides of Nitrogen - small boilers.	66
U-00003/-/030	6NYCRR 227-2.4 (f) (2) (ii)	Emission limitations for lean burn engines firing other fuels by themselves or in combination with gas.	1-13
FACILITY	6NYCRR 231-2.	New Source Review in Nonattainment Areas and Ozone Transport Region	42, 43, 41, 1-10
U-00001/00001/001	6NYCRR 231-2.	New Source Review in Nonattainment Areas and Ozone Transport Region	56
U-00002/00002/010	6NYCRR 231-2.	New Source Review in Nonattainment Areas and Ozone Transport Region	67
U-00003/-/030	6NYCRR 231-2.	New Source Review in Nonattainment Areas and Ozone Transport Region	1-15

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

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program for New York State.

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 201-6

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.

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(e)

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

6NYCRR Part 201-6.5(g)

Permit Exclusion Provisions - specifies those actions, such as administrative orders,

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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 202-2.5

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.

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.

Facility Specific Requirements

In addition to Title V, NYC-HH - KINGS COUNTY HOSPITAL CENTER 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). This permittee has accepted a "cap" on the emissions of sulfur dioxide in order to avoid the applicability of this regulation at this facility.

40CFR 82 .

The purpose of this regulation is to implement standards on the protection of stratospheric ozone through the control of chlorofluorocarbons (CFCs).

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

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

6NYCRR 225 .1 (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**

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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). For this permit, the sulfur content of distillate fuel is limited to 0.20% by weight. For residual fuel, the sulfur limit is 0.30% by weight.

6NYCRR 225 .7 (a)

The commissioner may require an owner of an air contamination source to retain for up to three years, and to submit to him, fuel analyses, information on the quantity of fuel received, burned or sold, and results of stack sampling, stack monitoring and other procedures to ensure compliance with the provisions of the Part. **NOTE: This citation has been replaced by requirements cited under 225-1.8(a) and is no longer a part of current State regulations, however, it remains as part of New York State's approved State Implementation Plan (SIP).** This requirement applies because the facility burns fuel oil in its stationary combustion sources.

6NYCRR 225-1.2 (a) (2)

This regulation prohibits any person from selling, offering for sale, purchasing or using any fuel which contains sulfur in a quantity exceeding the limitations set forth in Table 1, Table 2, or Table 3 of this section. This requirement applies because the facility burns fuel oil in its stationary combustion sources.

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. This requirement applies because the facility operates oil-fired combustion installations, namely the boilers and generators.

6NYCRR 227-1.2 (a) (2)

This rule limits particulate emissions to 0.20 pound per million Btu heat input from any stationary combustion installation with a maximum heat input capacity exceeding 50 million Btu per hour but no greater than 250 million Btu per hour using oil (other than distillate oil), coal tar, or any liquid fuel derived from coal.

6NYCRR 227-1.3 (a)

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

6NYCRR 227-2.4 (d)

This rule specifies that the reasonably available control technology (RACT) requirement for small boilers (< or = 50 million BTUs/hr) at Title V facilities consists of an annual tune-up.

6NYCRR 227-2.4 (f) (2) (ii)

This rule contains the emission limit for oxides of nitrogen from internal combustion engines of the type covered by this permit; i.e., the generators authorized for participation in CDRP. This limit is 9.0 grams per brake horsepower-hour.

6NYCRR 231-2.

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

The addition of the diesel generators to the Title V permit for this facility could potentially make the operation subject to New Source Review under Part 231. However, the applicability of the requirement can be avoided by the permittee if emissions are limited or "capped" below the applicability level for these requirements. In this permit, a 22.5 ton per year cap has been imposed on the emissions of oxides of nitrogen from the diesel engines by limiting the total amount of fuel that can be burned in all of the diesel generating units. As long as the fuel use limit is not exceeded, compliance with the cap will be maintained. The fuel use limit was calculated using the 22.5 ton per year cap number that was applied for, USEPA AP-42 emission factors for stationary diesel engines in pounds per mmBtu, and engine specific parameters such as maximum heat input in mmBtu per gallon and maximum hourly capacity in gallons per hour.

Non Applicability Analysis

List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Short Description	Regulation
FACILITY	New Source Review in Nonattainment Areas and Ozone Transport Region	6NYCRR 231-2.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.5(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification

Summary of monitoring activities at NYC-HH - KINGS COUNTY HOSPITAL CENTER:

Location Facility/EU/EP/Process/ES	Type of Monitoring	Cond No.
FACILITY	monitoring of process or control device parameters as surrogate	45
FACILITY	monitoring of process or control device parameters as surrogate	46
FACILITY	record keeping/maintenance procedures	47
U-00001	monitoring of process or control device parameters as surrogate	51
U-00001/00001/002	work practice involving specific	58

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	operations	
U-00001/00001/002	work practice involving specific operations	59
U-00002	monitoring of process or control device parameters as surrogate	60
U-00002/00002/020	work practice involving specific operations	69
U-00002/00002/020	work practice involving specific operations	70
FACILITY	record keeping/maintenance procedures	1-3
FACILITY	record keeping/maintenance procedures	1-4
FACILITY	work practice involving specific operations	1-5
FACILITY	record keeping/maintenance procedures	1-6
FACILITY	work practice involving specific operations	74
U-00001/00001/002	work practice involving specific operations	75
U-00002/00002/020	work practice involving specific operations	77
U-00003	monitoring of process or control device parameters as surrogate	1-18
FACILITY	intermittent emission testing	1-7
U-00003/-/030	intermittent emission testing	1-14
U-00001/00001/002	intermittent emission testing	76
U-00002/00002/020	intermittent emission testing	78
U-00001/00001/002	monitoring of process or control device parameters as surrogate	57
U-00002/00002/020	monitoring of process or control device parameters as surrogate	68
U-00003	monitoring of process or control device parameters as surrogate	1-11
U-00003	monitoring of process or control device parameters as surrogate	1-12
FACILITY	record keeping/maintenance procedures	40
U-00001/-/001/00001	record keeping/maintenance procedures	52
U-00001/-/001/00002	record keeping/maintenance procedures	53
U-00001/-/002/00001	record keeping/maintenance procedures	54
U-00001/-/002/00002	record keeping/maintenance procedures	55
U-00002/-/010/00003	record keeping/maintenance procedures	61
U-00002/-/010/00004	record keeping/maintenance procedures	62
U-00002/-/010/00005	record keeping/maintenance procedures	63
U-00002/-/020/00003	record keeping/maintenance procedures	64
U-00002/-/020/00004	record keeping/maintenance procedures	65
U-00002/-/020/00005	record keeping/maintenance procedures	66
U-00003/-/030	intermittent emission testing	1-13
FACILITY	monitoring of process or control device parameters as surrogate	42
FACILITY	monitoring of process or control device parameters as surrogate	43
U-00001/00001/001	work practice involving specific operations	56
U-00002/00002/010	work practice involving specific operations	67
U-00003/-/030	monitoring of process or control device parameters as surrogate	1-15

Basis for Monitoring

Fuel Sulfur Limits:

The diesel generators at this facility use #2 distillate oil as fuel. New York State regulations under 225.1(a)(3) contain a distillate fuel sulfur limit of 0.20% for fuel burned in New York City. This limit

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has been placed in this permit. Compliance with this limit must be demonstrated by maintaining records of the sulfur content of the fuel oil delivered for these units. The results of this monitoring must be included in the semiannual report and annual compliance certification required in this permit.

Fuel Sampling:

As mentioned above, to demonstrate compliance with the fuel sulfur limit, the permittee must maintain records of the fuel sulfur content of each delivery. To further detail this requirement, the provisions of 225.7(a) appear at the facility-level of the Title V permit for this facility. It requires that fuel suppliers' certifications be maintained for each shipment, and that all sampling, compositing of samples and sample analysis be done according to methods acceptable to the commissioner. A summary of this information must be provided in the semiannual report and annual compliance certifications mentioned above.

Opacity Limits:

Part 227-1.3(a) contains opacity limitations for internal combustion engines, boilers and turbines. These limits restrict the opacity of smoke from stacks for these operations from exceeding 20% on a six minute average basis except that the opacity may be allowed to up to 27% for one six minute block average period once per hour. This limit applies to all combustion sources at this facility.

Options for opacity monitoring under 227-1.3(b) include Method 9 observations or "considering other credible evidence." Method 9 observations are conducted by qualified observers who have been trained to quantify opacity by observing the plume and estimating the percent of light transmission being obscured by the presence of smoke. These observations are typically done by certified Department and EPA staff, but can also be conducted by other trained and certified individuals. Recertification is required every six months. The testimony of qualified observers has been admitted routinely in enforcement cases in the past.

While Part 227 provides that Method 9 analyses are acceptable methods for determining compliance with the opacity standards for these units, the circumstances under which Method 9 analyses are required are not defined. The Department has developed a standard method that results in a consistent approach to determining compliance with the opacity requirements of Part 227 as well as other rules which contain an opacity limit. The approach requires that the facility owner look for the presence of visible emissions once per day. If visible emissions are detected two days in a row, a Method 9 observation must be done by a certified individual within two business days of the occurrence.

This method is more structured and routine than past treatment of opacity requirements in which problems may have occurred for some time before the Department became aware of them and sent a certified observer to document the violation. The approach in this permit allows the smoke condition to exist for only two days before a Method 9 analysis is necessary. It should be noted that the presence of visible emissions is not necessarily an indication that the opacity limit is being exceeded, only that it may need to be assessed by Method 9 if it persists for two days. Since the use of a continuous emissions monitor is not a requirement for this facility, and federal regulations do not contain any further opacity monitoring requirements for these units, this has become the standard approach to monitoring opacity for operations such as this. This approach has been used in many permits and has been found by the EPA under the Title V program to be an acceptable method for opacity monitoring for these situations.

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For any source at this Title V facility not covered by Part 227, the permit contains the requirements in Part 211, restricting opacity to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity. The requirements from Part 211 appear automatically in any Title V permit.

Particulate Emissions:

Under 227.2(b)(1), particulate emissions are limited to 0.10 pounds per million Btu on a two hour average basis. This requirement applies to all combustion units at this facility. To demonstrate compliance of the diesel generators with this limit, the permittee must stack test for the emissions of particulates according to an approved protocol. The protocol must be submitted for approval within 180 days of the issuance of the permit modification. The stack test must be conducted within 30 days of the approval of the protocol, and the results must be submitted within 30 days of the completion of the tests. The stack test requirements, including the frequency and timing, required of the diesel generators in this permit are adequate to assure compliance with the particulate emissions rate because internal combustion engines of the type covered by this permit are generally stable systems with little operational fluctuation, resulting in a low variability of emission rates over time. Furthermore, low hours of operation are expected for the diesel generators under the CDRP.

This rule citation and particulate limit has also been included for the other emission unit(s) for containing boilers. For these boilers, stack testing must be conducted once during the term of the permit according to a protocol approved by the Department. The semiannual reports and annual compliance certifications must explain the status and results of any testing required under this regulation.

NOx Emissions from the Boilers:

NOx emissions from the boilers at this facility are regulated under 227-2.4(d). This requirement mandates that an annual tuneup be performed on each boiler, and that a log be kept with specific information. Under the requirements of 201-6.5(c)(3)(ii) and 201-6.5(e), placed elsewhere in this facility's Title V permit, the results of all compliance-related activities must be summarized in the semiannual report and annual compliance certification. The information provided in these reports must also contain information on any tuneups that were conducted.

NOx Emissions from the Diesel Generators:

Under 227-2.4(f)(2), the emissions limit of oxides of nitrogen (NOx) for an internal combustion lean burn engine is 9.0 grams per brake horsepower-hour. To demonstrate compliance of the diesel generators with this limit, the permittee must stack test for the emissions of NOx according to an approved protocol. The protocol must be submitted for approval within 180 days of the issuance of the permit modification. The stack test must be conducted within 30 days of the approval of the protocol, and the results must be submitted within 30 days of the completion of the tests. The stack test requirements, including the frequency and timing, required of the diesel generators in this permit are adequate to assure compliance with the NOx emissions rate because internal combustion engines of the type covered by this permit are generally stable systems with little operational fluctuation, resulting in a low variability of emission rates over time. Furthermore, low hours of operation are expected for the diesel generators under the CDRP.

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Annual Emission Limit on the NOx:

To avoid the need to comply with the New Source Review requirements of Subpart 231-2, the permittee will accept a cap on the emissions of NOx from the six diesel generators together of 22.5 tons per year. This will be monitored by limiting the amount of fuel that can be fired in these generating units. The permittee must keep records of fuel use in these units and must ensure that the limit on fuel use is not exceeded. The results of this monitoring must be summarized in the semiannual reports and annual compliance certifications required under the permit. The fuel use limit was calculated using the 22.5 ton per year cap number that was applied for, USEPA AP-42 emission factors for stationary diesel engines in pounds per mmBtu, and engine specific parameters such as maximum heat input in mmBtu per gallon and maximum hourly capacity in gallons per hour.