



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

**Permit ID: 2-6203-00017/00006
06/12/2012**

Facility Identification Data

Name: MANHATTAN PSYCH CTR
Address: 600 E 125TH ST
WARDS ISLAND, NY 10035

Owner/Firm

Name: NYS OFFICE OF MENTAL HEALTH
Address: 44 HOLLAND AVE
ALBANY, NY 12229, USA
Owner Classification: State

Permit Contacts

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

Division of Air Resources:
Name: CICYLY T NIRAPPEL
Address: HUNTERS POINT PLAZA
LONG ISLAND CITY, NY 11101
Phone:7184824944

Air Permitting Facility Owner Contact:
Name: A SCOTT BARD
Address: CDPC CAPITAL OPERATIONS
75 NEW SCOTLAND AVE
ALBANY, NY 12208
Phone:5184735823

**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 application seeks a renewal and a significant modification of an existing Title V permit that incorporates a permit to construct a new power plant. The new plant is intended to eventually replace the existing facility. It is important to note that although a new plant is to be constructed, the number of square feet to be heated and cooled at this facility will significantly decrease due to downsizing of the facility as a whole. Coupled with the increases efficiency of the new plant, overall emissions at this



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

**Permit ID: 2-6203-00017/00006
06/12/2012**

facility can be expected to fall greatly.

The new power plant will consists of three(3) boilers capable of firing #2 distillate oil. These will include two (2) Johnson Model PFTA 600-4 boilers that input 24.9 MMbtu/hr and one Johnson Model PFTA 300-4 boiler that inputs 212.6 MMbtu/hr. The combined unrestricted potential-to-emit of these three(3) units is 39.6 tons per year of NOx; however, hospital boiler systems are required to be designed with complete boiler redundancy. Actual emissions from this facility will be much less than the PTE and the new plant will be capable of comfortably capping emissions below 25 tons of NOx per year.

Only four(4) buildings currently served by the existing plant will be powered by the plant. The remaining buildings are to be demolished, sold, or leased to other entities that will be required to provide independent, heating sources. The City of New York owns a wastewater treatment plant that is also heated by the existing facility. New York City is in the process of developing its own alternate heating plans. Once all off the buildings being served by the existing plant have been removed from its steam distribution system, the owners intend to release the Title V permit and submit an application for an Air State Facility permit authorizing only the new plant.

In order to avoid 6 NYCRR part 231 New Source Review applicability, applicant proposes to limit NOx emissions at the new power plant below 25 tons per year.

In order to avoid NOx RACT requirements for the existing mid-sized boilers, the owners hereby commit to shutting down the existing plant by December 31, 2014 and therefore request that an enforceable permit modification to that effect be placed in the revised permit, as required at 6 NYCRR part 227-2.5(d).

Construction Schedule

Constriction of building to house the new plant is underway; however, no stationary combustion facilities have been installed. The current construction schedule envisions that the new facility will be able to begin operation in time for the 2012-2013 heating season, beginning October 2012.

Attainment Status

MANHATTAN PSYCH CTR is located in the town of MANHATTAN in the county of NEW YORK. 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) | MODERATE NON-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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6203-00017/00006
06/12/2012

nitrogen (NO_x) which are ozone precursors.

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

Facility Description:

Manhattan Psychiatric Center is a State-Owned Hospital serving the borough of Manhattan, NY. It now comprises 20 buildings that are heated by a central power plant. Four (4) of these buildings will be served by the new heating plant. Four (4) buildings have developed plans for the installation of independent heating systems, and one building is being demolished. The eleven (11) remaining buildings will be removed from centralized heating through installation of independent heating systems by their tenants or owners. The remaining steam recipient is the City of New York, which operates the nearby Wastewater Treatment Facility and is in the process of developing plans for its own energy sources, which will allow the existing plant to be permanently closed.

Permit Structure and Description of Operations

The Title V permit for MANHATTAN PSYCH CTR

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

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

MANHATTAN PSYCH CTR is defined by the following emission unit(s):

Emission unit U00001 - This emission unit comprises four central power plant boilers. Two units input 45 mmbtu/hr and are capable of combusting both No.6 residual oil and POTW digester gas that is derived from a nearby sewage treatment plant. The remaining two boilers combust only No.6 oil at a maximum input rate of 38.8 mmBtu/hr. All four boilers emit through a common stack and generate steam for space heating.

Emission unit U00001 is associated with the following emission points (EP):
00011

Process: 001 is located at Main, Building 122 - Combustion of No. 6 low-sulfur oil for steam for space heating.

Process: 002 is located at Main, Building 122 - Combustion of POTW digester gas for steam for space heating.

Emission unit U00006 - This emission unit comprises a new power plant to be constructed on the



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

**Permit ID: 2-6203-00017/00006
06/12/2012**

existing campus. It will incorporate three new emission sources that will be capable of combusting No.2 distillate oil and natural gas, although natural gas is not available to the facility at this time. Boilers NB01 and NB02 will have a maximum fuel input rate of 24.199 mmbtu/hr on natural gas and 23.31mmbtu/hr on #2oil. Boiler NB03 will have a maximum input of 12.6 mmmBtu/hr. The boilers will emit through separate stacks designated NBP01, NBP02, and NBP03 respectively. All units will generate steam for space heating.

Emission unit U00006 is associated with the following emission points (EP):
NBP01, NBP02, NBP03

Process: 006 is located at Building New Plant - Process 006 is the combustion of low-sulfur distillate oil to produce steam for space heating.

Process: 007 Process 007 is the combustion of natural gas to produce steam for space heating.

Note. At the time of application, natural gas is unavailable at this facility. However, the emission unit sources are capable of combusting natural gas and the facility requests authorization to so so should this fuel becomes available in the future.

Title V/Major Source Status

MANHATTAN PSYCH CTR is subject to Title V requirements. This determination is based on the following information:

NOx and SO2 annual emissions exceed the major source thresholds.

Program Applicability

The following chart summarizes the applicability of MANHATTAN PSYCH CTR with regards to the principal air pollution regulatory programs:

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

NOTES:

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6203-00017/00006
06/12/2012

(NAAQS) for specified pollutants.

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

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

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

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

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

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

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will 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

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 2-6203-00017/00006
06/12/2012

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 |
|----------|-----------------------|
| 8063 | PSYCHIATRIC 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 |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| 1-03-004-02 | EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - RESIDUAL OIL 10-100MMBTU/HR ** |
| 1-03-005-02 | EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - DISTILLATE OIL 10-100MMBTU/HR ** |
| 1-03-006-02 | EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - NATURAL GAS 10-100 MMBtu/Hr |
| 1-03-007-01 | EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - PROCESS GAS POTW DIGESTER GAS-FIRED BOILER |

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

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 2-6203-00017/00006
06/12/2012

magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

| Cas No. | Contaminant Name | PTE | |
|-------------|--------------------|-----------------------------|-------|
| | | lbs/yr | Range |
| 000630-08-0 | CARBON MONOXIDE | >= 40 tpy but < 50 tpy | |
| 0NY210-00-0 | OXIDES OF NITROGEN | >= 250 tpy but < 75,000 tpy | |
| 0NY075-00-0 | PARTICULATES | >= 50 tpy but < 100 tpy | |
| 0NY075-00-5 | PM-10 | >= 10 tpy but < 25 tpy | |
| 007446-09-5 | SULFUR DIOXIDE | >= 250 tpy but < 75,000 tpy | |
| 0NY998-00-0 | VOC | >= 10 tpy but < 25 tpy | |

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

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

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

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6203-00017/00006
06/12/2012

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

- Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR 201-6.5(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)**
If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.
- Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)**
All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 2-6203-00017/00006
06/12/2012

abatement authority. Nothing in this permit shall alter or affect the following:

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

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 2-6203-00017/00006
06/12/2012

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 | 43 | Powers and Duties of the Department with respect to air pollution control |
| U-00006 | 40CFR 60-Dc.42c (h) | 35 | Exemption from Averaging Requirements |
| U-00006 | 40CFR 60-Dc.48c (a) | 36 | Reporting and Recordkeeping Requirements. |
| U-00006 | 40CFR 60-Dc.48c (g) | 37 | Reporting and Recordkeeping Requirements. |
| U-00006 | 40CFR 60-Dc.48c (i) | 38 | Reporting and |

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 2-6203-00017/00006
06/12/2012

| | | | |
|----------|-----------------------------|------------|----------------------------------------------------------------------------|
| | | | Recordkeeping Requirements. |
| FACILITY | 40CFR 68 | 20 | Chemical accident prevention provisions |
| FACILITY | 40CFR 82-F | 21 | Protection of Stratospheric Ozone - recycling and emissions reduction |
| FACILITY | 6NYCRR 200.6 | 1 | Acceptable ambient air quality. |
| FACILITY | 6NYCRR 200.7 | 10 | Maintenance of equipment. |
| FACILITY | 6NYCRR 201-1.4 | 44 | Unavoidable noncompliance and violations |
| FACILITY | 6NYCRR 201-1.7 | 11 | Recycling and Salvage |
| FACILITY | 6NYCRR 201-1.8 | 12 | Prohibition of reintroduction of collected contaminants to the air |
| FACILITY | 6NYCRR 201-3.2 (a) | 13 | Exempt Activities - Proof of eligibility |
| FACILITY | 6NYCRR 201-3.3 (a) | 14 | Trivial Activities - proof of eligibility |
| FACILITY | 6NYCRR 201-6 | 22, 28, 29 | Title V Permits and the Associated Permit Conditions |
| FACILITY | 6NYCRR 201-6.5 (a) (4) | 15 | General conditions |
| FACILITY | 6NYCRR 201-6.5 (a) (7) | 2 | General conditions |
| FACILITY | 6NYCRR 201-6.5 (a) (8) | 16 | Fees |
| FACILITY | 6NYCRR 201-6.5 (c) | 3 | General conditions |
| | | | Permit conditions for Recordkeeping and Reporting of Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5 (c) (2) | 4 | Permit conditions for Recordkeeping and Reporting of Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5 (c) (3) (ii) | 5 | Permit conditions for Recordkeeping and Reporting of Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5 (d) (5) | 17 | Compliance schedules |
| FACILITY | 6NYCRR 201-6.5 (e) | 6 | Compliance Certification |
| FACILITY | 6NYCRR 201-6.5 (f) (6) | 18 | Off Permit Changes |
| FACILITY | 6NYCRR 201-7 | 30 | Federally Enforceable Emissions Caps |
| U-00006 | 6NYCRR 201-7 | 33 | Federally Enforceable Emissions Caps |
| FACILITY | 6NYCRR 202-1.1 | 19 | Required emissions tests. |
| FACILITY | 6NYCRR 202-1.2 | 23 | Notification. |
| FACILITY | 6NYCRR 202-1.3 | 24 | Acceptable procedures. |
| FACILITY | 6NYCRR 202-2.1 | 7 | Emission Statements - Applicability |
| FACILITY | 6NYCRR 202-2.5 | 8 | Emission Statements - record keeping requirements. |
| FACILITY | 6NYCRR 211.1 | 25 | General Prohibitions - air pollution prohibited |



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

**Permit ID: 2-6203-00017/00006
06/12/2012**

| | | | |
|---------------------|------------------------|----|---------------------------------------------------------------------------------------------|
| FACILITY | 6NYCRR 215.2 | 9 | Open Fires - Prohibitions |
| FACILITY | 6NYCRR 225-1.2 (a) (2) | 26 | Sulfur in Fuel Limitations Post 12/31/87. |
| U-00006/-/006 | 6NYCRR 225-1.2 (a) (2) | 39 | Sulfur in Fuel Limitations Post 12/31/87. |
| FACILITY | 6NYCRR 225-1.8 | 27 | Reports, sampling and analysis. |
| U-00001 | 6NYCRR 227.2 (b) (1) | 31 | Particulate emissions. |
| U-00006 | 6NYCRR 227.2 (b) (1) | 34 | Particulate emissions. |
| U-00001/00011 | 6NYCRR 227-1.3 (a) | 32 | Smoke Emission Limitations. |
| U-00006/NBP01 | 6NYCRR 227-1.3 (a) | 40 | Smoke Emission Limitations. |
| U-00006/NBP02 | 6NYCRR 227-1.3 (a) | 41 | Smoke Emission Limitations. |
| U-00006/NBP03 | 6NYCRR 227-1.3 (a) | 42 | Smoke Emission Limitations. |
| U-00006 | 6NYCRR 227-2.4 (d) | 49 | Small boilers, small combustion turbines, and small stationary internal combustion engines. |
| U-00001/-/001/00111 | 6NYCRR 227-2.5 (d) | 45 | Shutdown of an emission source. |
| U-00001/-/001/00211 | 6NYCRR 227-2.5 (d) | 46 | Shutdown of an emission source. |
| U-00001/-/001/00311 | 6NYCRR 227-2.5 (d) | 47 | Shutdown of an emission source. |
| U-00001/-/001/00411 | 6NYCRR 227-2.5 (d) | 48 | Shutdown of an emission source. |
| U-00006 | 6NYCRR 231-6.1 | 33 | Applicability |

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.

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 2-6203-00017/00006
06/12/2012

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.5 (a) (4)

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

6 NYCRR 201-6.5 (a) (7)

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

6 NYCRR 201-6.5 (a) (8)

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

6 NYCRR 201-6.5 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling,



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6203-00017/00006
06/12/2012

measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.5 (c) (2)

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

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

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

6 NYCRR 201-6.5 (d) (5)

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

6 NYCRR 201-6.5 (e)

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

6 NYCRR 201-6.5 (f) (6)

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

6 NYCRR 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 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



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

**Permit ID: 2-6203-00017/00006
06/12/2012**

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

40 CFR Part 82, Subpart F

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

Facility Specific Requirements

In addition to Title V, MANHATTAN PSYCH CTR has been determined to be subject to the following regulations:

40 CFR 60.42c (h)

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

40 CFR 60.48c (a)

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

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

40 CFR 60.48c (g)

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

40 CFR 60.48c (i)

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

6 NYCRR 202-1.2



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

**Permit ID: 2-6203-00017/00006
06/12/2012**

This regulation specifies that the department is to be notified at least 30 days in advance of any required stack test. The notification is to include a list of the procedures to be used that are acceptable to the department. Finally, free access to observe the stack test is to be provided to the department's representative.

6 NYCRR 202-1.3

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

6 NYCRR 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 (a) (2)

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

6 NYCRR 225-1.8

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

6 NYCRR 227.2 (b) (1)

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

6 NYCRR 227-1.3 (a)

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

6 NYCRR 227-2.4 (d)

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

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 2-6203-00017/00006
 06/12/2012

6 NYCRR 227-2.5 (d)
 Shutdown of an emission source NOx RACT compliance option.

6 NYCRR 231-6.1
 This section outlines the applicability of this Subpart.

6 NYCRR Subpart 201-7
 This regulation sets forth an emission cap that cannot be exceeded by the facility.

Compliance Certification
Summary of monitoring activities at MANHATTAN PSYCH CTR:

| Location Facility/EU/EP/Process/ES | Cond No. | Type of Monitoring |
|---------------------------------------|----------|--------------------------------------------------------------------|
| U-00006 | 36 | record keeping/maintenance procedures |
| U-00006 | 37 | record keeping/maintenance procedures |
| U-00006 | 38 | record keeping/maintenance procedures |
| FACILITY | 5 | record keeping/maintenance procedures |
| FACILITY | 6 | record keeping/maintenance procedures |
| U-00006 | 33 | record keeping/maintenance procedures |
| FACILITY | 7 | record keeping/maintenance procedures |
| FACILITY | 26 | work practice involving specific operations |
| U-00006/-/006 | 39 | work practice involving specific operations |
| FACILITY | 27 | record keeping/maintenance procedures |
| U-00001 | 31 | intermittent emission testing |
| U-00006 | 34 | intermittent emission testing |
| U-00001/00011 | 32 | monitoring of process or control device parameters as surrogate |
| U-00006/NBP01 | 40 | monitoring of process or control device parameters as surrogate |
| U-00006/NBP02 | 41 | monitoring of process or control device parameters as surrogate |
| U-00006/NBP03 | 42 | monitoring of process or control device parameters as surrogate |
| U-00006 | 49 | record keeping/maintenance procedures |

Basis for Monitoring

In order achieve compliance with NOx RACT requirements for the existing mid-sized boilers, the owners hereby commit to shutting down the existing plant by December 31, 2014 and therefore request that an enforceable permit modification to that effect be placed in the revised permit, as required at 6 NYCRR part 227-2.5(d). The new boiler plant consists of three small boilers (below 25 mmbtu/hr) will meet the facility steam requirement. The new boilers will meet the NOx RACT by performing annual tune



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

**Permit ID: 2-6203-00017/00006
06/12/2012**

ups.

Emission Unit U00006: In order to avoid 6 NYCRR part 231 New Source Review applicability, applicant proposes to limit NOx emissions at the new power plant below 25 tons per year, below the significant net emission increase threshold.