

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 2-6204-00058/00001 Renewal Number: 1

Modification Number: 3



09/12/2007

Facility Identification Data

Name: NYC-HH - METROPOLITAN HOSPITAL
Address: 1901 1ST AVE
NEW YORK, NY 10029-7491

Owner/Firm

Name: NYC HEALTH & HOSPITALS CORP
Address: 125 WORTH STREET
NEW YORK, NY 10013-4006, USA
Owner Classification: Corporation/Partnership

Permit Contacts

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Permit Description

Introduction

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

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Summary Description of Proposed Project

NYC HEALTH & HOSPITALS CORPORATION-METROPOLITAN HOSPITAL OPERATES ONE (1) ETHYLENE OXIDE STERILIZER. THE FACILITY IS PLANNING TO REPLACE THIS STERILIZER WITH TWO (2) NEW STERILIZERS AND ONE (1) NEW ABATOR. THE NEW STERILIZATION SYSTEM WILL BE LOCATED AT THE MAIN BUILDING. THE FACILITY ALSO OPERATES FOUR KEELER BOILERS; THREE EMERGENCY GENERATORS PARTICIPATING IN PEAK LOAD MANAGEMENT (PLM) PROGRAM, ELEVEN OIL STORAGE TANKS AND FUME HOODS. EMISSION FROM THE NEW STERILIZER IS LOWER THAN THE OLD/REPLACED SYSTEM. THIS APPLICATION IS SUBMITTED TO OBTAIN A MODIFIED TITLE V PERMIT THAT INCLUDES THE NEW STERILIZATION SYSTEM IN COMPLIANCE WITH 6NYCRR PART 201.5 AND WITH DRAWING TWO PLM GENERATORS WHICH WILL BECOME EXEMPT SOURCES.

Attainment Status

NYC-HH - METROPOLITAN HOSPITAL 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 nitrogen (NOx) which are ozone precursors.

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

Facility Description

NYC HEALTH & HOSPITALS CORPORATION-METROPOLITAN HOSPITAL OPERATES ONE (1) ETHYLENE OXIDE STERILIZER. THE FACILITY IS PLANNING TO REPLACE THIS STERILIZER WITH TWO (2) NEW STERILIZERS AND ONE (1) NEW ABATOR. THE NEW STERILIZATION SYSTEM WILL BE LOCATED AT THE MAIN BUILDING. THE FACILITY

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ALSO OPERATES FOUR KEELEER BOILERS; THREE EMERGENCY GENERATORS PARTICIPATING IN PEAK LOAD MANAGEMENT (PLM) PROGRAM, ELEVEN OIL STORAGE TANKS AND FUME HOODS. EMISSIONS FROM THE NEW STERILIZERS ARE LOWER THAN THE OLD/REPLACED SYSTEM. THIS APPLICATION IS SUBMITTED TO OBTAIN A MODIFIED TITLE V PERMIT THAT INCLUDES THE NEW STERILIZATION SYSTEM IN COMPLIANCE WITH 6NYCRR PART 201.5 AND WITHDRAWING ALL THREE PLM GENERATORS WHICH WILL BECOME EXEMPT SOURCES.

Permit Structure and Description of Operations

The Title V permit for NYC-HH - METROPOLITAN HOSPITAL 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 - METROPOLITAN HOSPITAL is defined by the following emission unit(s):
Emission unit UE0001 - THE FACILITY HAS REPLACED THE OLD STERILIZER SYSTEM WITH TWO (2) NEW ANDERSON STERILIZERS AND ONE (1) NEW ABATOR. EMISSIONS FROM THIS SYSTEM ARE LOWER THAN THE OLD UNIT. ETO STERILIZERS WILL BE OPERATED ONCE A DAY, FIVE DAYS A WEEK AND 52 WEEKS A YEAR.

Emission unit UE0001 is associated with the following emission points (EP):
E0001

It is further defined by the following process(es):
Process: ETO is located at Building MAIN - THE FACILITY HAS REPLACED THE OLD STERILIZER SYSTEM WITH TWO (2) NEW ANDERSON STERILIZERS AND ONE (1) NEW ABATOR. THE NEW STERILIZERS AND ABATOR UNIT ARE INSTALLED AT MAIN BUILDING CONNECTED TO A SAME STACK.

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Emission unit UC0001 - THIS UNIT UC0001 CONSISTS OF THREE IDENTICAL KEELER TYPE CP 400HP BOILERS WITH A HEAT INPUT CAPACITY OF 32.2 MMBTU/HR AND ONE KEELER CP14585 BOILER WITH A HEAT INPUT CAPACITY OF 48.4 MMBTU/HR. EACH BOILER FIRES NO. 6 FUEL OIL. THERE IS A COMMON STACK FOR THESE BOILERS, WHICH IS LOCATED IN THE MAIN HOSPITAL BUILDING.

Emission unit UC0001 is associated with the following emission points (EP):
C0001

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

Process: OIL is located at Building MAIN - PROCESS OIL IS WHEN ALL THE FOUR BOILERS FIRE NO. 6 OIL.

Title V/Major Source Status

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

This facility's emissions of Oxides of Nitrogen, Particulates and Sulfur Dioxide all exceed the major sources thresholds for Title V applicability. As such, a Title V permit is required to operate.

Program Applicability

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

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

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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.

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



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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
1-03-004-02	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - RESIDUAL OIL 10-100MMBTU/HR **
2-03-001-01	INTERNAL COMBUSTION ENGINES - COMMERCIAL/INSTITUTIONAL COMMERCIAL/INSTITUTIONAL IC ENGINE - DISTILLATE OIL (DIESEL) Reciprocating
3-15-020-01	PHOTOGRAPHIC EQUIPMENT HEALTH CARE - HOSPITALS Sterilization w/ Ethylene Oxide

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

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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)	> 0	but < 10 tpy
000107-02-8	ACROLEIN (HAP)	> 0	but < 10 tpy
000071-43-2	BENZENE (HAP)	> 0	but < 10 tpy
000630-08-0	CARBON MONOXIDE	>= 2.5	tpy but < 10 tpy
000075-21-8	ETHYLENE OXIDE (HAP)	> 0	but < 10 tpy
000050-00-0	FORMALDEHYDE (HAP)	> 0	but < 10 tpy
007439-92-1	LEAD (HAP)	> 0	but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN	>= 50	tpy but < 100 tpy
0NY075-00-0	PARTICULATES	>= 2.5	tpy but < 10 tpy
0NY075-00-5	PM-10	>= 2.5	tpy but < 10 tpy
130498-29-2	POLYCYCLIC AROMATIC HYDROCARBONS (HAP)	> 0	but < 10 tpy
007446-09-5	SULFUR DIOXIDE	>= 25	tpy but < 40 tpy
000108-88-3	TOLUENE (HAP)	> 0	but < 10 tpy
0NY998-00-0	VOC	> 0	but < 2.5 tpy
001330-20-7	XYLENE, M, O & P MIXT. (HAP)	> 0	but < 10 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

- (1) An emergency occurred and that the facility owner and/or operator

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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 - 6NYCRR Part 201-1.10(b)

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

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

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

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

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

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

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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 Part 201-6.5(a)(5)

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

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

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

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

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

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

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

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permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

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

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

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

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



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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 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

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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	48
FACILITY	40CFR 68	Chemical accident prevention provisions	22
FACILITY	40CFR 82	Protection of Stratospheric Ozone	15
FACILITY	40CFR 82-F	Protection of Stratospheric Ozone - recycling and emissions reduction	23
FACILITY	6NYCRR 200.6	Acceptable ambient air quality.	1
FACILITY	6NYCRR 200.7	Maintenance of equipment.	2
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	49
FACILITY	6NYCRR 201-1.7	Recycling and Salvage	3
FACILITY	6NYCRR 201-1.8	Prohibition of reintroduction of collected contaminants to the air	3-1
FACILITY	6NYCRR 201-3.2(a)	Exempt Activities - Proof of eligibility	5
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FACILITY	6NYCRR 201-6	Title V Permits and the Associated Permit Conditions	24, 32, 33
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FACILITY	6NYCRR 202-2.5	Emission Statements - record keeping requirements.	21
FACILITY	6NYCRR 211.2	General Prohibitions - air pollution prohibited.	50
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U-C0001/C0001/OIL	6NYCRR 212.6(a)	General Process Emission Sources - opacity of emissions limited	40
FACILITY	6NYCRR 215	Open Fires	14
FACILITY	6NYCRR 225.1(a)(3)	Sulfur in Fuel Limitations (SIP)	28, 29
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FACILITY	6NYCRR 225-1.2(a)(2)	Sulfur in Fuel Limitations Post 12/31/87.	25, 26
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FACILITY	6NYCRR 227.2(b)(1)	Particulate emissions.	3-2
U-C0001	6NYCRR 227.2(b)(1)	Particulate emissions.	35
FACILITY	6NYCRR 227-1.3(a)	Smoke Emission Limitations.	31
U-C0001	6NYCRR 227-1.3(a)	Smoke Emission Limitations.	34
U-E0001	6NYCRR 227-1.3(a)	Smoke Emission Limitations.	43
U-C0001/-/OIL/B0001	6NYCRR 227-2.4(d)	RACT for Oxides of Nitrogen - small boilers.	36
U-C0001/-/OIL/B0002	6NYCRR 227-2.4(d)	RACT for Oxides of Nitrogen - small boilers.	37
U-C0001/-/OIL/B0003	6NYCRR 227-2.4(d)	RACT for Oxides of Nitrogen - small boilers.	38
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Permit ID: 2-6204-00058/00001 Renewal Number: 1 Modification Number: 3



09/12/2007

Nitrogen - small
boilers.

Applicability Discussion:

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

ECL 19-301.

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

6NYCRR Part 200-.6

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

6NYCRR Part 200-.7

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

6NYCRR Part 201-1.4

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

6NYCRR Part 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6NYCRR Part 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6NYCRR Part 201-3.2(a)

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

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6NYCRR Part 201-3.3(a)

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

6NYCRR Part 201-6

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

6NYCRR 201-6.5(a)(4)

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

6NYCRR 201-6.5(a)(7)

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

6NYCRR 201-6.5(a)(8)

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

6NYCRR Part 201-6.5(c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures;

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results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6NYCRR Part 201-6.5(c)(2)

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

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

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

6NYCRR 201-6.5(d)(5)

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

6NYCRR Part 201-6.5(e)

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

6NYCRR 201-6.5(f)(6)

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

6NYCRR Part 202-1.1

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

6NYCRR Part 202-2.1

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

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6NYCRR Part 202-2.5

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

6NYCRR Part 211-.2

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

6 NYCRR Part 211.3

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

6 NYCRR Part 215

Prohibits open fires at industrial and commercial sites.

40 CFR Part 68.

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

40 CFR Part 82, Subpart F

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

Facility Specific Requirements

In addition to Title V, NYC-HH - METROPOLITAN HOSPITAL has been determined to be subject to the following regulations:

40CFR 82

The purpose of this regulation is to implement standards on the protection of stratospheric ozone through

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the control of chloroflourocarbons (CFCs).

6NYCRR 201-6.5 (a) (4)

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

6NYCRR 201-6.5 (a) (7)

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

6NYCRR 201-6.5 (a) (8)

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

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

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

6NYCRR 201-6.5 (d) (5)

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

6NYCRR 201-6.5 (f) (6)

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

6NYCRR 212 .3 (a)

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

6NYCRR 212 .6 (a)

This rule specifies an opacity limitation of less than 20% for any six consecutive minute period for all process emission sources.

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).

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).

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.

6NYCRR 225-1.8 (d)

This requires that sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the commissioner.

6NYCRR 227.2 (b) (1)

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

6NYCRR 227-1.3 (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.

Compliance Certification

Summary of monitoring activities at NYC-HH - METROPOLITAN HOSPITAL:

Table with 3 columns: Location, Type of Monitoring, and Cond No. listing monitoring activities for various facility locations.



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Basis for Monitoring

Condition # 18 (6NYCRR Part 201-6.5(c)(3)(ii)): This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

Condition # 19 (6NYCRR Part 201-6.5(e)): This regulation specifies an annual submittal frequency; and specifies the EPA and appropriate regional office address where the reports are to be sent.

Condition # 20 (6NYCRR Part 202-2.1): This regulation requires that emission statements shall be submitted on or before April 15th each year for the emissions of the previous calendar year.

Condition # 42 (6NYCRR Part 212.3(a)) : The operation of Ethylene Oxide Sterilizer is subject to the air toxics requirements of Part 212, which prescribes a degree of control based on the toxicity and ambient air quality impacts of each pollutant being emitted. The specific requirements that are included in this permit limit opacity to 20% on a six minute average under 212.6(a) and require a minimum degree of control or the application of Best Available Control Technology (BACT) under 212.3(a). Compliance with the opacity limit will be determined by the conduction of daily observations to look for the presence of any visible emissions. Compliance with the requirements of 212.3(a) will be demonstrated by operating the unit according to the manufacturer's recommendations. For this unit, as well as all others at the facility, these observations must be summarized in the semiannual report and annual compliance certification required elsewhere in this permit per the requirements of 201-6 and 201-6.5(e).

Condition # 40 (6NYCRR Part 212.6(a)): This rule specifies an opacity limitation of less than 20% for any six consecutive minute period for all process emission sources.

Condition # 25, 26 (6NYCRR Part 225-1.2(a)(2)) and condition # 28, 29 (6NYCRR Part 225-1(a)(3)):

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

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Condition # 30 (6NYCRR Part 225-7(a)): The facility is required to retain for five years and submit to NYSDEC, fuel analyses, information on the quantity of fuel received, burned and/or sold, and results of stack sampling, stack monitoring and other procedures to ensure compliance with the provisions of the Part

Condition # 35, 3-2 (6NYCRR Part 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.

Condition # 31, 34, 43, 44 (6NYCRR Part 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.

Condition # 36, 37, 38, 39 (6NYCRR Part 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.

Condition # 39 (6NYCRR Part 227-2.4(f)(2)(ii)): This regulation sets the NO_x emission limit for lean burn engines that provide electrical generation for peak shaving. The limit, which applies to engines listed at 225 horsepower for those in the severe ozone non-attainment area and 400 horsepower for the rest of the state, is 2.3 grams of NO_x per brake horsepower-hour.

Condition # 47 (6NYCRR Part 231-2): The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In 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.

Notes:

1. Opacity: Section 211.3 provides that, except as permitted under Department and federal rules, 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. The requirements of 227-1.3(a), which also appears in the Title V permit for this facility are more restrictive and contain compliance monitoring requirements for opacity that supplant those of 211.3 for the combustion sources at this facility.

2. 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 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.

3. Fuel Sampling: As mentioned above, to demonstrate compliance with the fuel sulfur limit, the

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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.

4. 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.

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.

5. 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.

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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 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.

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.

6. 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 tune up 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 tune ups that were conducted.

7. 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 three 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.