

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 2-6308-00040/00011    Renewal Number: 1**



**09/12/2007**

**Facility Identification Data**

Name: KEYSpan GENERATION-FAR ROCKAWAY STATION  
Address: 1425 BAY 24TH ST  
FAR ROCKAWAY, NY 11691

**Owner/Firm**

Name: KEYSpan CORPORATE SERVICES LLC  
Address: 445 BROAD HOLLOW RD  
MELVILLE, NY 11747, USA  
Owner Classification: Corporation/Partnership

**Permit Contacts**

Division of Environmental Permits:  
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Division of Air Resources:  
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**Permit Description**

**Introduction**

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

**Summary Description of Proposed Project**

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Title V permit renewal.

**Attainment Status**

KEYSPAN GENERATION-FAR ROCKAWAY STATION is located in the town of QUEENS in the county of QUEENS.

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.)

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

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

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

**Facility Description**

This facility consists of one (1) 100 MWe turbine/generator boiler sets operating on pipeline natural gas, #6, #1, or #2 fuel oils. In addition to pipeline natural gas, #1, #2 or #6 fuel oils, this boiler has the ability to burn waste oil A generated on site for energy recovery. There are several tanks used for storing distillate, lubrication and/or dielectric oils at this facility. A complete list of tanks is included in the documentation of this application. Facility also has a 12.6 mmbtu/hr gas fired steam boiler used to supply building heat and steam during main boiler start up.

**Permit Structure and Description of Operations**

The Title V permit for KEYSPAN GENERATION-FAR ROCKAWAY STATION 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

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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.

KEYSPAN GENERATION-FAR ROCKAWAY STATION is defined by the following emission unit(s):

Emission unit U00001 - This unit is a 100 MWe turbine/generator boiler set firing pipeline natural gas, #6, #1, or #2 fuel oils. In addition, this boiler may co-fire waste oil for energy recovery. Exhaust is through emission point 00001.

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

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

Process: P01 is located at GROUND FLOOR, Building BOILER BLD - This process is the combustion of #6 residual oil in a tangentially fired steam-electric boiler. In order to improve boiler operation, a fuel additive may be mixed into the residual oil prior to combustion.

Process: P02 is located at GROUND FLOOR, Building BOILER BLD - This process is the combustion of #1 distillate oil in a tangentially fired steam-electric boiler.

Process: P03 is located at GROUND FLOOR, Building BOILER BLD - This process is the combustion of #2 distillate oil in a tangentially fired steam-electric boiler.

Process: P04 is located at GROUND FLOOR, Building BOILER BLD - This process is the combustion of pipeline natural gas in a tangentially fired steam-electric boiler.

Process: P05 is located at GROUND FLOOR, Building BOILER BLD - This process is the co-firing of waste fuel A in a tangentially fired steam-electric boiler. This fuel is only used in combination with a primary fuel at a rate not to exceed 5% of the total heat input.

Process: P06 is located at GROUND FLOOR, Building BOILER BLD - THIS PROCESS IS THE INCINERATION, BY CO-FIRING WITH A PRIMARY FUEL AT A RATE NOT TO EXCEED 5% OF THE EQUIVILANT FUEL FLOW, OF BOILER CHEMICAL CLEANING SOLUTION (CITROSOLV). FOLLOWING THE CHEMICAL CLEANING OF THE WATER-SIDE OF THE BOILER TUBES WITH AN ACIDIC SOLUTION, THE SPENT MATERIAL IS EVAPORATED IN THE BOILER WHILE OPERATING AT NOMINAL FULL LOAD. (STANDARD PRACTICE IS TO COLLECT AND TRANSPORT THIS MATERIAL TO ANOTHER COMPANY FACILITY FOR INCINERATION. BOILER CHEMICAL CLEANINGS AT THIS FACILITY ARE PERFORMED

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ONCE EVERY 3 TO 5 YEARS).

Emission unit UHB002 - This emission unit is a 300 BHP (12.6 mmbtu/hr heat input) Hurst Series 400 three pass wet back scotch boiler.

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

Process: P97 is located at Building BOILER BLD - This process involves the combustion of pipeline natural gas in an industrial steam boiler.

**Title V/Major Source Status**

KEYSPAN GENERATION-FAR ROCKAWAY STATION is subject to Title V requirements. This determination is based on the following information:

NOx emissions exceed 25 ton per year and the facility is a major facility.

**Program Applicability**

The following chart summarizes the applicability of KEYSPAN GENERATION-FAR ROCKAWAY STATION with regards to the principal air pollution regulatory programs:

<b>Regulatory Program</b>	<b>Applicability</b>
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	YES
TITLE IV	YES
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

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Standards (NAAQS) for specified pollutants.

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

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

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

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

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

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

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

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

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### 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
4911	ELECTRIC SERVICES

### 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
1-01-005-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-01-013-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - LIQUID WASTE Specify Waste Material in Comments
1-01-013-02	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - LIQUID WASTE Waste Oil
1-01-006-04	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - NATURAL GAS Tangentially Fired Units
1-01-004-04	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - RESIDUAL OIL Grade 6 Oil: Tangential Firing
1-02-006-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS 10-100 MMBtu/Hr

### Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Series code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify

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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
000123-91-1	1,4-DIETHYLENE DIOXIDE (HAP)		> 0 but < 10 tpy
007440-38-2	ARSENIC (HAP)		> 0 but < 10 tpy
007440-43-9	CADMIUM (HAP)		> 0 but < 10 tpy
000630-08-0	CARBON MONOXIDE		>= 250 tpy
007440-47-3	CHROMIUM (HAP)		> 0 but < 10 tpy
007440-50-8	COPPER		> 0 but < 2.5 tpy
0NY100-00-0	HAP		> 0 but < 2.5 tpy
007439-89-6	IRON		>= 10 tpy but < 25 tpy
007439-92-1	LEAD (HAP)		> 0 but < 10 tpy
007439-97-6	MERCURY (HAP)		> 0 but < 10 tpy
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS (HAP)		>= 10 tpy
0NY210-00-0	OXIDES OF NITROGEN		>= 250 tpy
0NY075-00-0	PARTICULATES		>= 250 tpy
0NY075-00-5	PM-10		>= 250 tpy
001336-36-3	POLYCHLORINATED BIPHENYL (HAP)		> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE		>= 250 tpy
0NY998-00-0	VOC		>= 100 tpy but < 250 tpy
007440-66-6	ZINC		> 0 but < 2.5 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:

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- (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 - 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**

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**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 - 6NYCRR Part 201-6.5(a)(5)**

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

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

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

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

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

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

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

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

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

**Item K:                    Reopening for Cause - 6 NYCRR Part 201-6.5(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.

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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 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**

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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**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Regulation</b>	<b>Short Description</b>	<b>Condition</b>
FACILITY	ECL 19-0301	Powers and Duties of the Department with respect to air pollution control	56
U-HB002/-/P97/ES003	40CFR 60-Dc.48c	Reporting and Recordkeeping Requirements.	55
FACILITY	40CFR 68	Chemical accident prevention provisions	21
FACILITY	40CFR 72	Permits regulation	34
FACILITY	40CFR 82-F	Protection of Stratospheric Ozone - recycling and emissions reduction	22
FACILITY	6NYCRR 200.6	Acceptable ambient air quality.	1
FACILITY	6NYCRR 200.7	Maintenance of equipment.	10
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	57
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FACILITY	6NYCRR 201-3.2(a)	Exempt Activities - Proof of eligibility	13
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U-00001	6NYCRR 204-8.7	Additional Requirements to Provide Heat Input Data for Allocations Purposes	44
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**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

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6NYCRR Part 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6NYCRR Part 201-3.2(a)

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

6NYCRR Part 201-3.3(a)

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

6NYCRR Part 201-6

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

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)

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

6NYCRR 201-6.5(a)(8)

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

6NYCRR Part 201-6.5(c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

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

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

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

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

6NYCRR 201-6.5(d)(5)

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

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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.

#### 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

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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, KEYSpan GENERATION-FAR ROCKAWAY STATION has been determined to be subject to the following regulations:

40CFR 60-Dc.48c

This regulation requires that the facility maintain reports and records in accordance with the provisions of this section 40 CFR 60-Dc.48c.

40CFR 72

In order to reduce acid rain the the U.S. and Canada, Title IV of the Clean Air Act Amendments of 1990 requires the establishment of a program to reduce emissions of SO<sub>2</sub> and NO<sub>x</sub> (sulfur dioxide and oxides of nitrogen). Fossil fuel burning electric utility companies are a major source of these contaminants in the US. These sources were regulated in a phased approach. Phase I, which began in 1995, requires 110 of the higher-emitting utility plants in the eastern and Midwest states to meet intermediate SO<sub>2</sub> emission limitations. Phase II, which began in 2000, tightens the emission limitations and expands the coverage to most fossil fuel burning utilities. The utilities are given "allowances" which is a limited authorization to emit one ton of SO<sub>2</sub>. The utilities are required to limit SO<sub>2</sub> emissions to the number of allowances they hold. Some can benefit however by reducing their emissions and selling their excess allowances. Part 72 contains the means of implementing this portion of Title IV of the Clean Air Act.

6NYCRR 204-1.6

This condition requires the designated representative of the permittee to make submissions for the NO<sub>x</sub> Budget Program. The Program is designed to mitigate the interstate transport of ground level ozone and nitrogen oxides, a ground level ozone precursor.

6NYCRR 204-2.1

This condition states the submission requirements for the NO<sub>x</sub> Budget Trading Program. The Program is designed to mitigate the interstate transport of ground level ozone and nitrogen oxides, a ground level ozone precursor.

6NYCRR 204-4.1

This condition covers the compliance certification report requirements for the NO<sub>x</sub> Budget Program.

6NYCRR 204-7.1

This condition lists the requirements for transfer of allowances in the NO<sub>x</sub> Budget Program.

6NYCRR 204-8.1

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This condition lists the general requirements for the NOx Budget trading program. They include, but are not limited to monitoring requirements, certification, record keeping and reporting.

6NYCRR 204-8.2

This condition covers the procedures for initially certifying and recertifying the monitoring systems of the unit meet the requirements of the NOx Budget Program

6NYCRR 204-8.3

This condition states the requirements for data substitution during times when the monitoring systems do not meet applicable quality assurance requirements.

6NYCRR 204-8.4

This condition lists the addresses where monitoring plans and their modifications, compliance certifications, recertifications, quarterly QA/QC reports and petitions for alternative monitoring shall be sent.

6NYCRR 204-8.7

This condition is a requirement for monitoring and reporting if a particular monitoring scenario is utilized.

6NYCRR 207

This regulation requires the owner or operator to submit an episode action plan to the Department in accordance with the requirements of 6NYCRR Part 207. The plan must contain detailed steps which will be taken by the facility to reduce air contaminant emissions during each stage of an air pollution episode. Once approved, the facility shall take whatever actions are prescribed by the episode action plan when an air pollution episode is in effect.

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 225-2.3 (b) (1)

This regulation requires that each piece of equipment which fires Waste Fuel A demonstrate, at a minimum, 99% combustion efficiency in burning Waste fuel A

6NYCRR 225-2.4

This regulation sets the limits for the compounds that may be in Waste Fuel A. These are: PCB less than



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50 parts per million (ppm); Total Halogens less than 1,000 ppm; Sulfur less than the limits in Part 225-1; Lead less than 250 ppm; and a minimum gross heat content of 125,000 BTU/Gallon.

6NYCRR 225-2.6

This regulation allows the blending of waste fuel, prior to delivery to the facility, to meet the limitations of Table 2-1 of 6 NYCRR Part 225-2. Fuel containing PCB at levels above 50 parts per million, are not included in this provision.

6NYCRR 225-2.7

The commissioner may require the owner and/or operator of an air contamination source burning waste fuel regulated under section 225-2.4 of this Subpart to:

- (1) sample, analyze and measure quantities of all waste fuel received and/or burned;
- (2) monitor emissions and/or operations; and
- (3) maintain records of quantities of waste fuel B received and the names and addresses of waste fuel suppliers for three calendar years.

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 .5 (a)

This regulation is from a 1972 version of the Part 227 stationary combustion installation rule. The citation is no longer a current New York State regulation but remains part of New York's SIP, hence federally enforceable. It requires stationary combustion installations with heat inputs exceeding 250 million Btu to monitor opacity of smoke emissions on a continuous basis. If natural gas is being burned, the recording of smoke emissions is not required.

6NYCRR 227-1.3

This regulation requires a limitation and compliance monitoring for opacity from a 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 227-1.4 (a)

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

6NYCRR 227-1.4 (b)

This regulation requires the specific contents of excess emissions reports for opacity from facilities that



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employ continuous opacity monitors (COMs).

6NYCRR 227-1.5

This regulation provides for determination of a permissible particulate emission rate from combustion devices using more than one type of fuel simultaneously.

6NYCRR 227-2

This regulation limits the emission of oxides of nitrogen (NOx) from stationary combustion installations (boilers, combustion turbines and internal combustion engines).

6NYCRR 227-2.4 (d)

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

6NYCRR 227-2.6 (b)

Any owner or operator of a combustion source subject to reasonably available control technology (RACT) requirements, under this subdivision, for NOx and either is required or opts to employ a continuous emissions monitoring system (CEMS) must:

- 1) Submit a CEMS monitoring plan for approval by the Department,
- 2) Submit a CEMS certification protocol,
- 3) Meet CEMS monitoring requirements as detailed in this paragraph of this subdivision, and
- 4) Meet CEMS recordkeeping and reporting requirements as detailed in this paragraph of this subdivision.

**Compliance Certification**

Summary of monitoring activities at KEYSpan GENERATION-FAR ROCKAWAY STATION:

<b>Location Facility/EU/EP/Process/ES</b>	<b>Type of Monitoring</b>	<b>Cond No.</b>
U-HB002/-/P97/ES003	record keeping/maintenance procedures	55
FACILITY	record keeping/maintenance procedures	34
FACILITY	record keeping/maintenance procedures	5
FACILITY	record keeping/maintenance procedures	6
FACILITY	record keeping/maintenance procedures	7
U-00001	record keeping/maintenance procedures	40
FACILITY	record keeping/maintenance procedures	25
U-00001	record keeping/maintenance procedures	44
FACILITY	record keeping/maintenance procedures	27
FACILITY	record keeping/maintenance procedures	31
FACILITY	work practice involving specific operations	28
FACILITY	work practice involving specific operations	29
FACILITY	monitoring of process or control device parameters as surrogate	30
U-00001/-/P05	record keeping/maintenance procedures	46
U-00001/-/P05	record keeping/maintenance procedures	47
U-00001/-/P05/00040	record keeping/maintenance procedures	48
FACILITY	intermittent emission testing	33
U-00001/00001	monitoring of process or control device	53



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U-00001	parameters as surrogate	
U-00001/00001	record keeping/maintenance procedures	45
	monitoring of process or control device	49
U-00001/00001	parameters as surrogate	
	monitoring of process or control device	59
	parameters as surrogate	
U-00001/00001	record keeping/maintenance procedures	50
FACILITY	record keeping/maintenance procedures	32
U-HB002	record keeping/maintenance procedures	54
U-00001/00001	record keeping/maintenance procedures	52

**Basis for Monitoring**

6 NYCRR 201.1.4 The currently applicable 'excuse' provision that is approved into the SIP under 6 NYCRR § 201.5(e) no longer exists under the New York state code. It is the Department's position that it is inappropriate for the state to enforce a rule which is no longer active, consequently, this rule will not be inserted into the permit. As per EPA's previous recommendations, the current non-SIP approved 'excuse' provision at 6 NYCRR§ 201-1.4 has been moved to the state-only applicable section of the permit. With regard to the excuse issue, the Commissioner, may not exercise more discretion than what is allowed by federal requirements. To clarify this, the Department has included a condition cited under 6 NYCRR 201-6.5(c)(3)(ii) which advises Title V permittees that the "excuse" provision in 6 NYCRR §201-1.4 is not available to them for violations of federal regulations unless the federal regulation (e.g. NSPS, NESHAPS, PSD) provides for such an "excuse." The state enforceable condition for 6 NYCRR §201-1.4 reiterates this as well.

6 NYCRR 201.6.5(c)(3)(iii): This condition has been added to all Title V permits issued in New York State to clarify that all required monitoring reports are to be submitted at least every 6 months on a calendar year basis in order to comply with Title V requirements regardless of the reporting requirement that may be listed for an individual permit monitoring condition. Any monitoring conditions that may have more frequent reporting requirements will remain in effect as displayed in the condition.

6 NYCRR 201.6.5(e): This is a facility-wide record keeping requirement that applies to all Title V facilities. These facilities must submit an annual compliance certification to the NYSDEC and the USEPA.

6NYCRR 202-2.1: This is a requirement for all Title V facilities. These facilities must submit an annual emission statement by April 15th of each year.

6 NYCRR 204: The emission source 00040 is a NOx budget source and subject to this part. These conditions specify the monitoring, and reporting requirements the facility must follows.

6 NYCRR 207: This condition regulation requires the owner or operator to submit an episode action plan to the Department in accordance with the requirements of 6NYCRR Part 207.

6NYCRR Part 211.3: This condition restrict the opacity of visible emissions from any air contamination source, which is not regulated otherwise, and detail the monitoring method and reporting requirements.

6 NYCRR 225-1.2(a)(2): This is facility level condition regarding the sulfur content of fuel oil used at the facility. The sulfur content must be determined by the seller. The facility must maintain alog of the sulfur content of oil on a per delivery basis.

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6 NYCRR Part 227.2(b)(1): This condition require the facility to perform stack test once per permit term to ensure compliance with the particulate limit, 0.10 lb/mmbtu while burning oil in the emission source ES002.

6 NYCRR Part 227-1.2(a)(1): This conditions require the facility to perform stack test once per permit term to ensure compliance with the particulate limit, 0.10 lb/mmbtu while burning oil in emission source 00040.

6 NYCRR Part 227-1.3(a), 227-1.4(a): Emission point 00001 has a maximum heat input capacity greater than 250mmbtu/hr. These conditions limit the opacity of the emissions and require continuous opacity monitoring while burning oil or natural gas.

6 NYCRR Part 227-1.3(a): These are emission point level conditions, which limit the opacity of the emissions and specify the opacity monitoring method.

6 NYCRR Part 227-1.4(b): This condition details the content of the quarterly excess emission reports where COMS is utilized

6 NYCRR Part 225-2.3: Keyspan is allowed to burn waste Fuel A which is produced at the facility from the normal operation of the electric and gas transmission and distribution systems. At this facility Waste fuel A is only used in combination with a primary fuel at a rate not to exceed 5% of the total heat input. When the facility does not burn the waste oil, it is transported to another facility for incineration. In this condition, the boiler while burning waste oil is required to have the combustion efficiency of 99%. Key Span Far Rockaway performs the combustion efficiency test at least once a year, and a recent test (4/1/5/04) shows compliance with this requirement. The permit condition requires that the combustion efficiency of the boiler to be demonstrated every year.

6 NYCRR Part 225-2.4: This condition specifies the waste constituents/properties for waste oil A that the facility needs to comply with. Waste fuel t needs to be tested per batch basis, before burning to assure compliance with the permit limits. These limits are: PCB less than 50 parts per million (ppm); Total Halogens less than 1,000 ppm; Sulfur less than 0.3% by weight ; Lead less than 250 ppm; and a minimum gross heat content of 125,000 BTU/Gallon. Facility has not burned any waste fuel since they received the Title V permit, but the facility performs sampling per batch basis before it is transported to another facility. A recent test results shows that the waste oil meets these limits for waste fuel A.

6 NYCRR Part 225-2.6: When the waste oil is transported to another facility to burn or burn onsite, blending of waste oil except such fuel containing 50 ppm or more by weight of PCB to meet limitations of Table 2 -1 of 6 NYCRR Part 225-2.4 is allowed under regulation. This condition also specifies the requirements for the collection, transportation and storage of waste fuel when it is not burned onsite, assuring proper disposal of waste oil.

6 NYCRR Part 225-2.7: This record keeping and reporting requirement condition assures that the facility maintains records pertinent to waste fuel transported or burned at the facility and report the compliance to the Department at least on a semiannual basis.

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6 NYCRR Part 227-2: Boiler 00040 is a very large boiler and subject to NOx RACT requirements. KeySpan is allowed to average NOx emissions from other KeySpan facilities in order to demonstrate compliance with NOx RACT. Emissions are monitored continuously and records are kept at the facility to verify compliance.

40 CFR 72: The emission unit U-00001 is subject to Acid Rain Program, and the facility has a Title IV Acid Rain permit, DEC ID#: 26308-00040-00013. Facility need to comply with Title IV permit conditions.