

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 9-1402-00573/00007 Renewal Number: 1



10/10/2007

Facility Identification Data

Name: BUFFALO STATE COLLEGE
Address: 1300 ELMWOOD AVE
BUFFALO, NY 14222

Owner/Firm

Name: STATE UNIVERSITY OF NEW YORK
Address: STATE UNIVERSITY PLAZA
381 BROADWAY
ALBANY, NY 12246, USA
Owner Classification: State

Permit Contacts

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Permit Description

Introduction

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

Summary Description of Proposed Project

This is an application for the renewal of the Air Title V Facility permit for Buffalo State College. The title

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V permit was also modified to include the construction of emission point BSC02, an individual exhaust stack for Boiler #5 (Emission Source 0001E).

Attainment Status

BUFFALO STATE COLLEGE is located in the town of BUFFALO in the county of ERIE.

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

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	MARGINAL 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

Buffalo State College (BSC), located at 1300 Elmwood Avenue in the City of Buffalo, New York, is an institution within the State University of New York (SUNY) system. BSC offers degree programs in liberal arts and science to more than 11,000 students. The main campus encompasses approximately 115 acres with 37 buildings. Campus' air emission sources include a boiler plant which supplies steam for the space heating of the buildings and dormitories on campus, house boilers and furnaces, small steam generators, emergency power generators, storage tanks, a gasoline dispensing site, water cooling towers, laboratory vents, and various trivial sources associated with teaching and maintenance activities.

The college took over operation of the campus power plant in June of 1996. Prior to that time, the plant was operated by the co-located Buffalo Psychiatric Center. The boiler plant contains four operational steam boilers, installed in 1949. These Babcock & Wilcox Stirling boilers were originally limited to No. 6 oil only, but were modified in 1985 to accommodate natural gas, as well. Output was originally rated at 53,500 lbs steam/hr with input estimated at 65 mmbtu/hr. In 1999, the four boilers were derated to 53 mmbtu/hr each. These boilers are not equipped with any type of emission control equipment and are exhausted through a single stack, EP BSC01. In early 2002, BSC installed a natural gas fired boiler, with



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a maximum design heat input capacity of 33.5 MMBTU/hr and a low-NOx burner, that is used mostly during the summer months when the steam demand is less. Other air emissions sources at the facility are considered exempt or trivial as per sections 201-3.2 and 3.3, respectively.

Permit Structure and Description of Operations

The Title V permit for BUFFALO STATE COLLEGE

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.

BUFFALO STATE COLLEGE is defined by the following emission unit(s):

Emission unit U00001 - This emission unit consists of the campus power plant located in Building 45 containing five boilers, which produce steam for space heating throughout the college campus. Boilers 1-4 fire residual oil or natural gas and have a maximum design heat input capacity of 53 MMBTU/hr, each. Boiler 5 is equipped with a low-NOx burner, fires only natural gas and has a maximum design heat input capacity of 33.5 MMBTU/hr. The four dual fueled boilers exhaust through a common stack, EP BSC01, with a current potential stack heat input of 212 MMBTU/hr. Boiler No. 5 exhausts through EP BSC02.

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

BSC01, BSC02

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

Process: 100 is located at Building 45 - Process 100 is the combustion of residual oil in any of the four 53 mmBTU/hr power plant boilers to produce steam for space heating.

Process: 200 is located at Building 45 - Process 200 is the combustion of natural gas in any of the five power plant boilers to produce steam for space heating.

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Title V/Major Source Status

BUFFALO STATE COLLEGE is subject to Title V requirements. This determination is based on the following information:

The facility-wide emissions for sulfur dioxide (SO₂) and nitrous oxide (NO_x) at Buffalo State College exceed the major source pollutant thresholds (100 tpy each) listed in 6NYCRR Subpart 201-6, Title V Facility Permits and the major source threshold of 100 tpy NO_x specified in 6NYCRR227-2, Reasonably Available Control Technology (RACT) for Oxides of Nitrogen. Buffalo State College has chosen to avoid the requirements of 6NYCRR227-2 by limiting facility-wide NO_x emissions below the major source threshold at 99 tons per year. The facility is subject to the provisions of Title V for sulfur dioxide emissions, which are generated predominantly by the combustion of No. 6 oil in four mid-sized boilers at the powerhouse.

Program Applicability

The following chart summarizes the applicability of BUFFALO STATE COLLEGE with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	NO
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
8221	COLLEGES AND UNIVERSITIES, NEC

SCC Codes

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

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

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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
008006-61-9	GASOLINE		> 0 but < 2.5 tpy
0NY210-00-0	OXIDES OF NITROGEN	198000	
0NY075-00-0	PARTICULATES		>= 50 tpy but < 100 tpy
007446-09-5	SULFUR DIOXIDE		>= 250 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 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

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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)

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)

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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 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;

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iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

Item L: Permit Exclusion - ECL 19-0305

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The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

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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	44
U-00001/BSC01/200/0001E	40CFR 60-A	General provisions	39
U-00001/BSC02/200/0001E	40CFR 60-A.4	General provisions - Address	40
U-00001/BSC02/200/0001E	40CFR 60-A.7(b)	Notification and Recordkeeping	41
U-00001/BSC02/200/0001E	40CFR 60-Dc.40c	Steam generators 10-100 million Btu per hour	42
U-00001/BSC02/200/0001E	40CFR 60-Dc.48c(g)	Reporting and Recordkeeping Requirements.	43
FACILITY	40CFR 68	Chemical accident prevention provisions	21
FACILITY	40CFR 82-F	Protection of Stratospheric Ozone - recycling and emissions reduction	22
FACILITY	6NYCRR 200.3	False Statement.	23
FACILITY	6NYCRR 200.6	Acceptable ambient air quality.	1
FACILITY	6NYCRR 200.7	Maintenance of equipment.	10
FACILITY	6NYCRR 201-1	General Provisions	24
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	45
FACILITY	6NYCRR 201-1.7	Recycling and Salvage	11
FACILITY	6NYCRR 201-1.8	Prohibition of reintroduction of collected contaminants to the air	12
FACILITY	6NYCRR 201-3.2(a)	Exempt Activities - Proof of eligibility	13
FACILITY	6NYCRR 201-3.2(c)(6)	Exempt Activities - emergency power generating units	25
FACILITY	6NYCRR 201-3.3(a)	Trivial Activities - proof of eligibility	14
FACILITY	6NYCRR 201-6	Title V Permits and the Associated Permit Conditions	26, 34, 35
FACILITY	6NYCRR 201-6.5(a)(4)	General conditions	15
FACILITY	6NYCRR 201-6.5(a)(7)	General conditions	15
Fees 2 FACILITY	6NYCRR 201-6.5(a)(8)	General conditions	16
FACILITY	6NYCRR 201-6.5(c)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	3
FACILITY	6NYCRR 201-6.5(c)(2)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	4
FACILITY	6NYCRR 201-6.5(c)(3)(ii)	Permit conditions for	5

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FACILITY	6NYCRR 201-6.5 (d) (5)	Compliance schedules	17
FACILITY	6NYCRR 201-6.5 (e)	Compliance Certification	6
FACILITY	6NYCRR 201-6.5 (f) (6)	Off Permit Changes	18
FACILITY	6NYCRR 201-6.5 (g)	Permit shield	27
FACILITY	6NYCRR 201-7.2	Emissions capping using synthetic minor permits	28, 29
FACILITY	6NYCRR 202-1.1	Required emissions tests.	19
FACILITY	6NYCRR 202-2.1	Emission Statements - Applicability	7
FACILITY	6NYCRR 202-2.5	Emission Statements - record keeping requirements.	8
FACILITY	6NYCRR 211.2	General Prohibitions - air pollution prohibited.	46
FACILITY	6NYCRR 211.3	General Prohibitions - visible emissions limited	20
FACILITY	6NYCRR 215	Open Fires	9
FACILITY	6NYCRR 225-1.2 (a) (2)	Sulfur in Fuel Limitations Post 12/31/87.	30
FACILITY	6NYCRR 225-1.8 (a)	Reports, sampling and analysis.	31
FACILITY	6NYCRR 225-1.8 (d)	Reports, sampling, and analysis	32
U-00001/BSC01/100	6NYCRR 227.2 (b) (1)	Particulate emissions.	37, 38
U-00001/BSC01	6NYCRR 227-1.2 (b)	Particulate Emissions from 2 or More Connected Furnaces.	36
FACILITY	6NYCRR 227-1.3	Smoke Emission Limitations.	33
FACILITY	6NYCRR 227-2	Reasonably available control technology for NOx	29

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

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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.

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

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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; 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.

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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 201-6.5(g)

Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the federally enforceable portion of the permit, unless they are specifically addressed by it.

6NYCRR Part 202-1.1

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.

6NYCRR 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

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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, BUFFALO STATE COLLEGE has been determined to be subject to the following regulations:

40CFR 60-A

This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40CFR 60-A.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40CFR 60-A.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40CFR 60-Dc.40c

This regulation requires the source owner or operator to comply with the applicable General Provisions of

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40 CFR 60 Subpart Dc. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

40CFR 60-Dc.48c (g)

(2) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in §60.48c(f) to demonstrate compliance with the SO₂ standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

6NYCRR 200 .3

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

6NYCRR 201-1

Subpart 201-1 contains general provisions for the state air permitting program including purpose, unpermitted sources, change in ownership, unavoidable noncompliance, emergency defense, public participation, recycling and salvage, prohibiting the reintroduction of collected air contaminants, program delegation and public access to recordkeeping.

6NYCRR 201-3.2 (c) (6)

The following emergency power generating units are exempt from permitting requirements:

- (i) Facility specific emergency power generating units where each individual unit operates for no more than 500 hours per year.
- (ii) Centrally dispatched emergency power generating units where each individual unit operates for no more than 200 hours per year. Should a centrally dispatched emergency power generating unit be also operated as a facility specific emergency power generating unit, the annual 200 hour centrally dispatched operating time limit remains applicable, and the total combined hours for operating as either type of emergency power generating unit shall be for no more than 500 hours.

6NYCRR 201-7.2

This section of Part 201-7 specifies the criteria that need to be met in order to restrict emissions to avoid Title V or other applicable requirements using federally enforceable permit conditions permit.

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 (a)

Upon request the owner or operator of a facility which purchases and fires coal or oil shall submit reports to the commissioner containing a fuel analysis, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1. All records shall be available for a minimum of three years

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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 227-1.2 (b)

This regulation requires the total heating capacity connected to a stack to be used to determine the permissible particulate emission rate.

6NYCRR 227-1.3

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

6NYCRR 227-2

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

Compliance Certification

Summary of monitoring activities at BUFFALO STATE COLLEGE:

Location Facility/EU/EP/Process/ES	Type of Monitoring	Cond No.
U-00001/BSC02/200/0001E FACILITY	record keeping/maintenance procedures	43
FACILITY	work practice involving specific operations	25
FACILITY	record keeping/maintenance procedures	5
FACILITY	record keeping/maintenance procedures	6
FACILITY	work practice involving specific operations	29
FACILITY	record keeping/maintenance procedures	7
FACILITY	work practice involving specific operations	30
FACILITY	record keeping/maintenance procedures	31
U-00001/BSC01/100	monitoring of process or control device parameters as surrogate	37
U-00001/BSC01/100 FACILITY	intermittent emission testing	38
FACILITY	monitoring of process or control device parameters as surrogate	33

Basis for Monitoring

This title V permit specifies special operating/monitoring conditions, recordkeeping and reporting required to verify compliance with the applicable requirement. The basis for monitoring for these requirements is as follows:

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6NYCRR201-3.2 (c)(6):

Emergency generators are considered exempt from permitting only if they are operated less than 500 hours per year, including testing, and are used for emergency purposes only. The owner or operator must record all times that the emergency generator is operated based on hour meter readings or other verifiable method. Records must be maintained on-site so that inspectors from the USEPA and/or the NYSDEC can review them to verify compliance with the annual limit.

6NYCRR225-1:

The sulfur content in fuel oil and coal are limited by this regulation to lower the sulfur dioxide emissions resulting from some combustion sources. When sulfur dioxide is exhausted to the air it combines with water to form sulfuric acid. When it rains, snows, etc. this acid enters lakes and rivers, contaminating drinking water and fish, making the bodies of water uninhabitable for aquatic organisms. It also is harmful to human health, trees and vegetation, buildings, etc.

At Buffalo State College residual oil and No. 2 oil used throughout the entire facility are subject to the sulfur in oil limit of 1.5 % by weight as specified under 6NYCRR225-1 (d). Compliance with this rule is verified through vendor certification. Records are required to be maintained on-site for five years. Reporting is required semiannually

6NYCRR227.2(b)(1):

This regulates particulate emissions from stationary combustion sources. Inhalable particulates are detrimental to human health, causing asthma and other lung diseases, heart disease and sometimes death. In cities and towns, particulates are responsible for reduced visibility and damage to painted surfaces and buildings.

The four mid-size (53 MMBTU/hr, each) oil fired boilers in EU 00001 are subject to the requirements of 6NYCRR227.2(b)(1). Particulate emissions from the combustion of No. 6 oil in these boilers (Process 100), exhausted through EP BSC01, are limited to 0.1 lb/MMBTU. Approval of a stack test protocol, the performance of a stack test and approval of stack test results is required prior to permit renewal to verify compliance with the specified limit. Records are required to be maintained on-site for five years for USEPA and/or NYSDEC inspectors to review. Reporting is required semiannually.

To minimize particulate emissions, Buffalo State College is also required to operate and maintain the oil fired boilers as specified by the manufacturer. The excess air and fuel flowrates for each boiler shall be adjusted quarterly, based on a calendar year, to ensure complete combustion. The boilers shall be operated with excess oxygen between 5% and 15% to minimize NOx and particulate emissions. Tune-ups shall be performed annually to ensure the proper performance of the boilers. Records of calibration, adjustments, maintenance, tune-ups and repair for each source shall be kept for the most recent five years and shall be made available to NYSDEC and/or USEPA inspectors upon request to verify compliance with these requirements.

6NYCRR227-1.3(a) and 6NYCRR211.3:

Opacity is regulated under 6NYCRR227-1.3 and 6NYCRR211.3 to control the emission of particulates, which when respired can harm human health and can cause reduced visibility. An opacity determination is a surrogate method of determining compliance with the in-stack concentration limit.



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Emission point BSC01 is subject to 6NYCRR227-1.3(a), which limits the average opacity of the emissions from stationary combustion sources during any six consecutive minutes to less than 20%. A daily check of visible emissions, while firing fuel oil, is required to verify compliance with this rule. The observation of emissions greater than zero percent opacity will trigger an investigation to determine the cause, followed by corrective action. If visible emissions persist, a Method 9 evaluation is required to determine whether the opacity limit has been exceeded. The facility is considered in violation of 6NYCRR227-1.3 and 6NYCRR211.3, if the opacity is determined to be greater than 20%. Records of daily observations and Method 9 analysis must be maintained on-site for five years. In addition to semiannually, reporting is required any time a Method 9 analysis is conducted. Since the limits are equivalent, compliance with 6NYCRR211.3, which has a 20% opacity limit for any source emitting particulates, can be verified via the monitoring requirements specified under 6NYCRR227-1.3(a).

6NYCRR227-2:

Nitrous oxide emissions, which result mostly from combustion sources, such as boilers, furnaces, turbines, cars/trucks, etc. are responsible for ground-level ozone and acid rain (like sulfur dioxide), both of which destroy human health and the environment. Nitrous oxide emissions also contribute to global warming.

This regulation requires that combustion sources which emit nitrous oxides at 100 tons per year or more control NO_x emissions through Reasonably Available Control Technology (RACT). To avoid the requirements of 6NYCRR Subpart 227-2- NO_x RACT, Buffalo State College (BSC) chose to limit NO_x emissions from the entire facility to 99 tpy or less. Each month, BSC must calculate facility-wide (including exempt and trivial activities) NO_x emissions based on fuel usage and emission factors specified in their title V permit from all sources. Compliance is determined by summing the individual monthly NO_x emissions during any consecutive 12-month period and comparing it to the 99 tpy CAP. Annual reporting is required. Records must be maintained on-site for five years and be available for inspection upon request.

40CFR60 Subparts A and Dc:

These regulate emissions from certain newly installed sources of air pollution, including the natural gas fired boiler that Buffalo State College installed in early 2002.

Since the maximum design heat input capacity of the natural gas fired Cleaver Brooks boiler is greater than 10 MMBTU/hr and less than 100 MMBTU/hr and the installation occurred after June 9, 1989, the boiler is subject to the requirements of 40CFR60 Subpart A - General Provisions and Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The only requirements specified for a natural gas fired boiler are an initial notification and monitoring the amount of natural gas combusted on a monthly basis. Records must be maintained on-site for review by inspectors from the USEPA and/or NYSDEC. Review of these records allows the inspectors to verify compliance with the requirements and verification of the annual capacity factor.

6NYCRR230.5

This regulation requires the control of gasoline emissions from gasoline dispensing sites. The control of gasoline, which contains carcinogens and other toxic compounds, is necessary because gasoline is hazardous to human health and contributes to the formation of ground-level ozone. If a gasoline dispensing site has an annual throughput of 120,000 gallons or less, they are exempt from the control

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requirements specified under 6NYCRR230. However, to qualify for that exemption they must be able to prove that their annual throughput does not exceed 120,000 gallons/year, during any 12 consecutive months.

Buffalo State College operates a gasoline dispensing site on campus to fuel their motor vehicles, which has an annual throughput of 120,000 gallons per year or less. They must maintain gasoline purchase records and each month calculate the 12-month rolling total. These records must be available for inspection by the USEPA and/or the NYSDEC to verify compliance with this requirement. Reporting is required semiannually.