

Facility DEC ID: 1282200248

**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 1-2822-00248/00009  
Effective Date: 10/02/2020 Expiration Date: 10/01/2030

Permit Issued To: THE FEINSTEIN INSTITUTE FOR MEDICAL RESEARCH  
350 COMMUNITY DR  
MANHASSET, NY 11030

North Shore University Hospital  
300 COMMUNITY DR  
ATTN ADMINISTRATION  
MANHASSET, NY 11030

Contact: Manuel Sanchez  
North Shore Hospital  
300 Community Dr  
Manhasset, NY 11030  
(516) 562-2449

Facility: NORTH SHORE UNIVERSITY HOSPITAL & THE FEINSTEIN INSTITUTE  
FOR MEDICAL RESEARCH  
300 & 350 COMMUNITY DR  
MANHASSET, NY 11030

Contact: Michael Sardone  
North Shore University Hospital  
300 Community Drive  
Manhasset, NY 11030  
(516) 562-3610

Description:  
North Shore University Hospital and the Feinstein Institute for Medical Research is proposing to cap facility wide actual emissions of Nitrogen Oxides below 24.5 tons per year; downgrading their current status of a Title V facility to an Air State Facility. The North Shore University Hospital (herein referred to as NSUH) consists of eight buildings which include the main hospital, Feinstein Institute for Medical Research (FIMR) and other ancillary buildings. The emission sources are: nineteen boilers - fourteen of which are exempt, although four (4) of these exempt boilers that fire No. 2 fuel oil are subject to the Federal Boiler MACT rule (40 CFR 63 Subpart JJJJJ). The hospital also maintains sixteen emergency generators and a steam generator (FIMR). There are exempt laboratory hoods in two of the campus buildings.

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By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator:       SUSAN ACKERMAN  
                                  NYSDEC - REGION 1 SUNY @ STONY BROOK  
                                  50 CIRCLE RD  
                                  STONY BROOK, NY 11790-3409

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_

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### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

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**Facility Level**

- 5 5 Submission of application for permit modification or renewal - REGION 1 HEADQUARTERS

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**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**  
**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**  
**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 3: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

**Item 3.3**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal - REGION 1 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409  
(631) 444-0365

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**Permit Under the Environmental Conservation Law (ECL)**

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

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350 COMMUNITY DR  
MANHASSET, NY 11030

North Shore University Hospital  
300 COMMUNITY DR  
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Facility: NORTH SHORE UNIVERSITY HOSPITAL & THE FEINSTEIN  
INSTITUTE FOR MEDICAL RESEARCH  
300 & 350 COMMUNITY DR  
MANHASSET, NY 11030

Authorized Activity By Standard Industrial Classification Code:  
8062 - GENERAL MEDICAL & SURGICAL HOSPITALS

Permit Effective Date: 10/02/2020

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- 9 8 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 9 9 6 NYCRR 201-7.1: Facility Permissible Emissions
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**EU=1-BOILR**

- 16 20 40CFR 60.40c, NSPS Subpart Dc: Applicability of this Subpart to this emission source

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- 16 21 40CFR 60.14, NSPS Subpart A: Modifications.

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- 17 22 40CFR 60.14, NSPS Subpart A: Modifications.

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- 17 23 40CFR 60.40c, NSPS Subpart Dc: Applicability of this Subpart to this emission source

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- 20 26 6 NYCRR Subpart 201-5: Emission Unit Definition
- 21 27 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
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NOTE: \* preceding the condition number indicates capping.

**FEDERALLY ENFORCEABLE CONDITIONS**

FINAL

\*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6 NYCRR 200.5**

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

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

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

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

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

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

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

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required to operate such device effectively.

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

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

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

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

**Item E: Recycling and Salvage - 6 NYCRR 201-1.7**

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

**Item F: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8**

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

**Item G: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item H: Proof of Eligibility for Sources Defined as Trivial**

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**Activities - 6 NYCRR 201-3.3 (a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item I: Required Emission Tests - 6 NYCRR 202-1.1**

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

**Item J: Open Fires Prohibitions - 6 NYCRR 215.2**

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item K: 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 L: Federally Enforceable Requirements - 40 CFR 70.6 (b)**

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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.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**

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

**Condition 2: Recycling and Salvage**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 2.1:**

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 3: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 3.1:**

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

**Condition 4: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

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**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)****Item 4.1:**

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

**Condition 5: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:6 NYCRR 201-3.3 (a)****Item 5.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 6: Required Emissions Tests**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:6 NYCRR 202-1.1****Item 6.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

**Condition 7: Accidental release provisions.**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:40 CFR Part 68****Item 7.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,

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2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
C/O CSC  
8400 Corporate Dr  
Carrollton, Md. 20785

**Condition 8: Recycling and Emissions Reduction**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 8.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**Condition 9: Facility Permissible Emissions**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 9.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY210-00-0

PTE: 49,000 pounds per year

Name: OXIDES OF NITROGEN

**Condition 10: Capping Monitoring Condition**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 10.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

**Item 10.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 10.3:**

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,

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during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 10.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 10.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 10.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 10.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The NO<sub>x</sub> emissions for the three (3) boilers at the Main Hospital, and steam and emergency generators installed at the Feinstein Institute for Medical Research building shall be capped at 24.5 tons per year. The facility needs to calculate their monthly and 12-month rolling total NO<sub>x</sub> emissions. The facility needs to maintain records of data used for these calculation and records of these calculations as well. The facility should submit a annual capping certification that contains the monthly and rolling 12-month total NO<sub>x</sub> emissions and a summary of of any data used.

The NO<sub>x</sub> emissions shall be computed as follows:

Boilers operating on Natural Gas:

$$\text{NO}_x \text{ (tons/yr)} = [(100 \text{ lbs NO}_x / 10^6 \text{ scf NO}_x) * \text{Monthly Fuel Usage (scf)}] / 2000 \text{ lbs/yr;}$$

except for the Feinstein Cleaver Brooks Boiler:

$$\text{NO}_x \text{ (tons/yr)} = [(37 \text{ lbs NO}_x / 10^6 \text{ scf NO}_x) * \text{Monthly Fuel Usage (scf)}] / 2000 \text{ lbs/yr;}$$

except for Fulton Steam Boiler:



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NOx (tons/yr) = [(73 lbs NOx / 10<sup>6</sup> scf NOx) \* Monthly Fuel Usage (scf)] / 2000 lbs/yr;

Boilers operating on Fuel Oil:

NOx (tons/yr) = [(20 lbs NOx / 1000 gallons) \* (Heat Value) \* (Monthly Fuel Oil Usage (gallons))] / 2000 lbs/ton;

Heat Value for No. 2 oil is 138,000 BTU/gallon

Heat Value for No. 4 oil is 146,000 BTU/gallon

except for the Feinstein Cleaver Brooks Boiler:

NOx (tons/yr) = [(19.1 lbs NOx / 1000 gallons) \* (Heat Value) \* (Monthly Fuel Oil Usage (gallons))] / 2000 lbs/ton;

Generators operating on Fuel Oil:

Generators > 600 horsepower:

NOx (tons/yr) = [(3.2 lbs NOx / MMBTU \* (138,000 BTU/gal) \* (Monthly Fuel Oil Usage (gallons))] / 2000 lbs/ton;

Generators < 600 horsepower:

NOx (tons/yr) = [(4.41 lbs NOx / MMBTU \* (138,000 BTU/gal) \* (Monthly Fuel Oil Usage (gallons))] / 2000 lbs/ton;

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 24.5 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

Subsequent reports are due every 12 calendar month(s).

**Condition 11: Visible Emissions Limited**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 11.1:**

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

**Condition 12: Compliance Demonstration**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:6 NYCRR 225-1.2 (d)**

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**Item 12.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of any stationary combustion installation that fires residual oil are limited to the firing of residual oil with a sulfur content of 0.37% sulfur.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.37 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 13: Compliance Demonstration**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement: 6 NYCRR 225-1.2 (h)**

**Item 13.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with this limit will be based on vendor certifications.

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Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
 Parameter Monitored: SULFUR CONTENT  
 Upper Permit Limit: 0.0015 percent by weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 14: Compliance Demonstration**  
 Effective between the dates of 10/02/2020 and 10/01/2030

**Applicable Federal Requirement:6 NYCRR 227-1.3**

**Item 14.1:**  
 The Compliance Demonstration activity will be performed for the Facility.

**Item 14.2:**  
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
  - date and time of day
  - observer's name
  - identity of emission point
  - weather condition

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- was a plume observed?

Incident weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**\*\* NOTE \*\*** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: DAILY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2021.  
Subsequent reports are due every 12 calendar month(s).

**Condition 15: Compliance Demonstration**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)**

**Item 15.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 15.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

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Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2021.  
Subsequent reports are due every 12 calendar month(s).

**Condition 16: EPA Region 2 address.**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A**

**Item 16.1:**

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance  
USEPA Region 2  
290 Broadway, 21st Floor  
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

**Condition 17: Circumvention.**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A**

**Item 17.1:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

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**Condition 18: Applicability**  
Effective between the dates of 10/02/2020 and 10/01/2030

**Applicable Federal Requirement:40CFR 63, Subpart JJJJJ**

**Item 18.1:**

Facilities that are area sources of HAP with industrial, commercial, or institutional boilers must comply with applicable portions of 40 CFR 63 JJJJJ.

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 19: Emission Unit Permissible Emissions**  
Effective between the dates of 10/02/2020 and 10/01/2030

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 19.1:**

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-RSRCH

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 6 pounds per hour

48,000 pounds per year

**Condition 20: Applicability of this Subpart to this emission source**  
Effective between the dates of 10/02/2020 and 10/01/2030

**Applicable Federal Requirement:40CFR 60.40c, NSPS Subpart Dc**

**Item 20.1:**

This Condition applies to Emission Unit: 1-BOILR

**Item 20.2:**

This emission source is subject to the applicable General Provisions of 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.

**Condition 21: Modifications.**  
Effective between the dates of 10/02/2020 and 10/01/2030

**Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A**

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Facility DEC ID: 1282200248

**Item 21.1:**

This Condition applies to Emission Unit: 1-BOILER  
Process: 008

**Item 21.2:**

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

**Condition 22: Modifications.**

**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A**

**Item 22.1:**

This Condition applies to Emission Unit: 1-BOILER  
Process: 012

**Item 22.2:**

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

**Condition 23: Applicability of this Subpart to this emission source**

**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable Federal Requirement:40CFR 60.40c, NSPS Subpart Dc**

**Item 23.1:**

This Condition applies to Emission Unit: U-RSRCH

**Item 23.2:**

This emission source is subject to the applicable General Provisions of 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.

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Facility DEC ID: 1282200248

**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

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

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;

(3) During the period of the emergency the facility owner 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 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 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 Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records.



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Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

**Item C: 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.

**STATE ONLY APPLICABLE REQUIREMENTS**

The following conditions are state only enforceable.

**Condition 24: Contaminant List**

Effective between the dates of 10/02/2020 and 10/01/2030

Applicable State Requirement:ECL 19-0301

**Item 24.1:**

Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 25: Malfunctions and start-up/shutdown activities**

Effective between the dates of 10/02/2020 and 10/01/2030

Applicable State Requirement:6 NYCRR 201-1.4

**Item 25.1:**

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(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 26: Emission Unit Definition**  
**Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable State Requirement: 6 NYCRR Subpart 201-5**

**Item 26.1:**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 1-BOILR

Emission Unit Description:

Three (3) boilers capable of firing natural gas and #4 fuel oil. These boilers operate predominately on natural gas. Two boilers are rated at 42 MMBTU/hr and one is rated at 49 MMBTU/hr. Boiler #3 has an electronic fuel/air controller. Regardless of manual settings, the software limits the boiler to 75% of its maximum firing rate or 49 MMBtu/hr.

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Facility DEC ID: 1282200248

Building(s): MAIN

**Item 26.2:**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-RSRCH

Emission Unit Description:

Two (2) boilers rated at 20.4 MMBTU/hr, a steam generator (exempt), and an emergency generator (exempt) located in the Feinstein Institute for Medical Research building.

Building(s): RESEAR

**Condition 27: Renewal deadlines for state facility permits  
Effective between the dates of 10/02/2020 and 10/01/2030****Applicable State Requirement:6 NYCRR 201-5.2 (c)****Item 27.1:**

The owner or operator of a facility having an issued state facility 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.

**Condition 28: CLCPA Applicability  
Effective between the dates of 10/02/2020 and 10/01/2030****Applicable State Requirement:6 NYCRR 201-5.3 (c)****Item 28.1:**

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

**Condition 29: Air pollution prohibited  
Effective between the dates of 10/02/2020 and 10/01/2030****Applicable State Requirement:6 NYCRR 211.1****Item 29.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

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Facility DEC ID: 1282200248

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 30: Emission Point Definition By Emission Unit  
Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 30.1:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-BOILR

Emission Point: 00001

Height (ft.): 75                      Diameter (in.): 66  
NYTMN (km.): 4514.923    NYTME (km.): 609.633    Building: MAIN

**Item 30.2:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-RSRCH

Emission Point: 00007

Height (ft.): 108                      Diameter (in.): 50  
NYTMN (km.): 4514.923    NYTME (km.): 609.633    Building: RESEAR

**Condition 31: Process Definition By Emission Unit  
Effective between the dates of 10/02/2020 and 10/01/2030**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 31.1:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-BOILR

Process: 008                              Source Classification Code: 1-01-005-05

Process Description: The following boilers can fire #4 oil:

Emission Source/Control: 0M001 - Combustion

Design Capacity: 42 million Btu per hour

Emission Source/Control: 0M002 - Combustion

Design Capacity: 42 million Btu per hour

Emission Source/Control: 0M003 - Combustion

Design Capacity: 63 million Btu per hour

**Item 31.2:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-BOILR

Permit ID: 1-2822-00248/00009

Facility DEC ID: 1282200248

Process: 012                                  Source Classification Code: 1-01-007-02  
Process Description: The following boilers can fire natural gas:

Emission Source/Control: 0M001 - Combustion  
Design Capacity: 42 million Btu per hour

Emission Source/Control: 0M002 - Combustion  
Design Capacity: 42 million Btu per hour

Emission Source/Control: 0M003 - Combustion  
Design Capacity: 63 million Btu per hour

**Item 31.3:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-RSRCH  
Process: 006                                  Source Classification Code: 1-01-005-01  
Process Description: The following boilers can fire #2 fuel oil:

Emission Source/Control: 0RSH3 - Combustion  
Design Capacity: 20.4 million Btu per hour

Emission Source/Control: 0RSH4 - Combustion  
Design Capacity: 20.4 million Btu per hour

**Item 31.4:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-RSRCH  
Process: 013                                  Source Classification Code: 1-03-006-02  
Process Description: The following boilers can fire natural gas:

Emission Source/Control: 0RSH3 - Combustion  
Design Capacity: 20.4 million Btu per hour

Emission Source/Control: 0RSH4 - Combustion  
Design Capacity: 20.4 million Btu per hour

**Permit ID: 1-2822-00248/00009**

**Facility DEC ID: 1282200248**