



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6104-00249/00004
Effective Date: 02/21/2019 Expiration Date: 02/20/2024

Permit Issued To: NYC HEALTH & HOSPITALS CORP
125 Worth St
New York, NY 10013-4006

Contact: JOSEPH MULCHAN
KINGS COUNTY HOSPITAL CENTER
451 CLARKSON AVE BLDG E RM E2218
BROOKLYN, NY 11203
(718) 245-4920

Facility: NYC-HH - KINGS COUNTY HOSPITAL CENTER
451 CLARKSON AVE
BROOKLYN, NY 11203

Contact: Richard Bess
NYC HH Kings County Hospital Ctr
451 Clarkson Ave
Brooklyn, NY 11203
(718) 245-2953

Description:
Facility has submitted this application for the renewal & modification of Air Title V Facility permit.

The hospital currently operates five (5) boilers, each rated at 49.9 mm Btu/hr., fifteen (15) diesel emergency generators and eight (8) Capstone gas microturbines each rated at 190 KW power output (exempt under 6 NYCRR part 201-3.2(c)(5)). All boilers currently use natural gas as primary fuel and #6 fuel oil as secondary fuel. After burner replacement, # 2 fuel oil will be used instead of #6 residual fuel oil.

Also, facility is in the process of installing four hydrogen fuel cells: three (3) hydrogen fuel cells in the main building and one (1) hydrogen fuel cell in the Dr. Susan Smith McKinney (DSSM) building, which are exempt sources under 201-3.2 (c) (46). In addition, one emergency generator rated at 2.56 MMbtu/hr (exempt under 201-3.2 (c) located at DSSM building will also be included in this Title V permit. Both of these buildings are adjacent and owned by NYCHHC. Potential annual NOx emissions from these five sources will be limited to 2.4 tpy. which is less than the 6 NYCRR Part 231 significant project threshold 2.5 tpy.



New York State Department of Environmental Conservation
Facility DEC ID: 2610400249



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: STEPHEN A WATTS
 47-40 21ST ST
 LONG ISLAND CITY, NY 11101-5401

Authorized Signature: _____ Date: ___ / ___ / _____



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.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
- Applications for permit renewals, modifications and transfers
- Permit modifications, suspensions or revocations by the Department

Facility Level

- Submission of application for permit modification or renewal -
REGION 2 HEADQUARTERS



DEC GENERAL CONDITIONS

****** General Provisions ******

For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.

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.

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 2 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NYC HEALTH & HOSPITALS CORP
125 Worth St
New York, NY 10013-4006

Facility: NYC-HH - KINGS COUNTY HOSPITAL CENTER
451 CLARKSON AVE
BROOKLYN, NY 11203

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

Permit Effective Date: 02/21/2019

Permit Expiration Date: 02/20/2024



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
 - 2 6 NYCRR 201-6.4 (a) (7): Fees
 - 3 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
 - 4 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
 - 5 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
 - 6 6 NYCRR 201-6.4 (e): Compliance Certification
 - 7 6 NYCRR 202-2.1: Compliance Certification
 - 8 6 NYCRR 202-2.5: Recordkeeping requirements
 - 9 6 NYCRR 215.2: Open Fires - Prohibitions
 - 10 6 NYCRR 200.7: Maintenance of Equipment
 - 11 6 NYCRR 201-1.7: Recycling and Salvage
 - 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
 - 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
 - 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
 - 15 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
 - 16 6 NYCRR 201-6.4 (a) (8): Right to Inspect
 - 17 6 NYCRR 201-6.4 (f) (6): Off Permit Changes
 - 18 6 NYCRR 202-1.1: Required Emissions Tests
 - 19 40 CFR Part 68: Accidental release provisions.
 - 20 40CFR 82, Subpart F: Recycling and Emissions Reduction
 - 21 6 NYCRR 201-3.2 (c) (6): Compliance Certification
 - 22 6 NYCRR Subpart 201-6: Emission Unit Definition
 - 23 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
 - 24 6 NYCRR 201-6.4 (g): Non Applicable requirements
 - 25 6 NYCRR Subpart 201-7: Facility Permissible Emissions
 - *26 6 NYCRR Subpart 201-7: Capping Monitoring Condition
 - *27 6 NYCRR Subpart 201-7: Capping Monitoring Condition
 - *28 6 NYCRR Subpart 201-7: Capping Monitoring Condition
 - 29 6 NYCRR 202-1.2: Notification
 - 30 6 NYCRR 211.2: Visible Emissions Limited
 - 31 6 NYCRR 225-1.2 (d): Compliance Certification
 - 32 6 NYCRR 225-1.2 (g): Compliance Certification
 - 33 6 NYCRR 225-1.2 (h): Compliance Certification
 - 34 6 NYCRR 225.1 (a) (3): Compliance Certification
 - 35 6 NYCRR 227-1.3 (a): Compliance Certification
 - 36 6 NYCRR 227.2 (b) (1): Compliance Certification
 - 37 40CFR 60, NSPS Subpart IIII: Applicability
 - 38 40CFR 63, Subpart JJJJJ: Applicability
 - 39 40CFR 63, Subpart ZZZZ: Applicability
 - 40 40CFR 63, Subpart ZZZZ: Engines at Area sources of HAP
- Emission Unit Level**
- 41 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
 - 42 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

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EU=U-00001

- 43 6 NYCRR 227-2.4 (c) (1) (ii): Compliance Certification
- 44 6 NYCRR 227-2.5 (a): Compliance Certification
- 45 6 NYCRR 227-2.6: Compliance Certification

EU=U-00002

- 46 6 NYCRR 227-2.4 (c) (1) (ii): Compliance Certification
- 47 6 NYCRR 227-2.5 (a): Compliance Certification
- 48 6 NYCRR 227-2.6: Compliance Certification

EU=U-00005

- *49 6 NYCRR Subpart 201-7: Capping Monitoring Condition

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 50 ECL 19-0301: Contaminant List
- 51 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 52 6 NYCRR 211.1: Air pollution prohibited
- 53 6 NYCRR 225-1.6: Compliance Demonstration

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

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

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

Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (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 C: Certification by a Responsible Official - 6 NYCRR 201-6.2 (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 D: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (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 E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (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 F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)

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

Item G: Property Rights - 6 NYCRR 201-6.4 (a) (6)

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

Item H: Severability - 6 NYCRR 201-6.4 (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 I: Permit Shield - 6 NYCRR 201-6.4 (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;

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 J: Reopening for Cause - 6 NYCRR 201-6.4 (i)

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

i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of 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 the 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 section 201- 6.6 of this Subpart.

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



reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements,

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the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual



report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2019.

Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related record keeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as

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specified in any special permit terms or conditions;
and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Air Compliance Branch
USEPA Region 2 DECA/ACB
290 Broadway, 21st Floor
New York, NY 10007

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer
Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

The address for the BQA is as follows:

NYSDEC
Bureau of Quality Assurance



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625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2020.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due by April 15th for previous calendar year

Condition 8: Recordkeeping requirements
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

Condition 9: Open Fires - Prohibitions
Effective between the dates of 02/21/2019 and 02/20/2024



Applicable Federal Requirement:6 NYCRR 215.2

Item 9.1:

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

Item 9.2

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**



Condition 14: Trivial Sources - Proof of Eligibility
Effective between the dates of 02/21/2019 and 02/20/2024

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

Item 14.1:

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 15: Requirement to Provide Information
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)

Item 15.1:

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 16: Right to Inspect
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)

Item 16.1:

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

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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,

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 20: Recycling and Emissions Reduction
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:40CFR 82, Subpart F

Item 20.1:

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

The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 21: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 201-3.2 (c) (6)

Item 21.1:

The Compliance Certification activity will be performed for the Facility.

Item 21.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The emission sources listed below are exempt from the permitting requirements of 6 NYCRR Part 201. The owner or operator may be required to certify that it operated such emission sources within the specific criteria described below. The owner or operator of any such emission source must maintain all records necessary for demonstrating compliance with Subpart 201-3, on-site for a period of five years, and make them available to representatives of the department upon request.

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- Emergency power generating stationary internal combustion engines, as defined below, and engine test cells at engine manufacturing facilities that are utilized for research and development, reliability performance testing, or quality assurance performance testing.

- A stationary internal combustion engine that operates as a mechanical or electrical power source only when the usual supply of power is unavailable, and operates for no more than 500 hours per year. The 500 hours of annual operation for the engine include operation during emergency situations, routine maintenance, and routine exercising (for example, test firing the engine for one hour a week to ensure reliability). A stationary internal combustion engine used for peak shaving generation is not an emergency power generating stationary internal combustion engine.

Parameter Monitored: HOURS OF OPERATION

Upper Permit Limit: 500 hours per year

Monitoring Frequency: WHEN THE SOURCE IS OPERATING

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2019.

Subsequent reports are due every 6 calendar month(s).

Condition 22: Emission Unit Definition
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 22.1:

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

Emission Unit: U-00001

Emission Unit Description:

Emission Unit U-00001 consists of two Cleaver Brooks boilers (Emission Sources 00001 & 00002), rated at 49.9 MM Btu/hr each, capable of burning natural gas (Process 001); and # 6 residual fuel oil (Process 002) or #2 distillate fuel oil (Process 003). The flue gases from these two boilers exit through a common stack, identified as Emission point 00001. These two boilers are located in Building Z (Boiler House). NYC-HH - Kings County Hospital Center's boilers currently burn # 6 fuel oil as a secondary fuel to natural gas. After burners replacement, # 2 distillate fuel oil will be used instead of #6 residual fuel oil.

Building(s): BLDG Z

Item 22.2:

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

Emission Unit: U-00002

Emission Unit Description:

Emission Unit U-00002 consists of three Cleaver Brooks boilers (Emission Sources 00003, 00004 & 00005), rated at 49.9 MM Btu/hr each, capable of burning natural gas (Process 010); and # 6 residual fuel oil (Process 020) or #2 distillate fuel oil (Process 032). The flue gases from these three boilers exit through a common stack, identified as Emission point 00002. These three boilers are located in Building Z (Boiler House). NYC-HH - Kings County Hospital Center's boilers currently burn # 6 fuel oil as a secondary fuel to natural gas. After burners replacement, # 2 distillate fuel oil will be used instead of #6 residual fuel oil.

Building(s): BLDG Z

Item 22.3:

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

Emission Unit: U-00004

Emission Unit Description:

Facility will be adding eight (8) Capstone microturbines each rated at 190 KW power output (exempt under 6 NYCRR part 201-3.2(c)(5)) with a total output of 1.52MW. Annual potential emissions from these eight microturbines are calculated to be 2.37 TPY (with the manufacturer guaranteed emission factor 0.356/bs NO_x/MWhe), which is less than the 6 NYCRR Part 231 NO_x Significant Project Threshold 2.5 TPY. Therefore, this is an exempt activity.

Item 22.4:

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

Emission Unit: U-00005

Emission Unit Description:

Emission Unit-00005 consists of one (1) emergency generator(exempt under 201-3.2 (c) (6)) and four (4) Hydrogen fuel cells(exempt under 201-3.2 (46)). The emergency generator and one (1) Hydrogen fuel cell are located at Dr.Susan Smith McKinney (DSSM) building and three (3) Hydrogen fuel cells are located at Main building. Both buildings are adjacent and owned by NYCHHC.

Annual NO_x emission rate potential from these five exempt sources are calculated to be 2.8431 tons/yr.

Facility has proposed to limit NO_x emissions to 2.42 TPY thus less than the 6 NYCRR Part 231 NO_x Significant Project Threshold 2.5 TPY by limiting the emergency generator operation to 425 hours(instead of 500 hours).

NO_x PTE of four hydrogen fuel cells =0.0231tpy

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(Manufacturer emission factor 0.0017lbs/MW-hr)
NO_x PTE of one emergency generator with emergency
operation limited to 425hrs/yr(AP- 42 EF of 4.41/b/MMbtu)=
2.39 tpy
Total PTE of five sources =2.42 tpy

Rating of Emission sources
Fuel Cell 1: 1.1 MW/hr
Fuel Cell 2: 1.0 MW/hr
Fuel Cell 3: 0.6 MW/hr
Fuel Cell 4: 0.4 MW/hr
Emergency Generator: 2.56 MMbtu/hr

Building(s): DSSM
MAIN BLDG

Condition 23: Progress Reports Due Semiannually
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)

Item 23.1:

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 24: Non Applicable requirements
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 201-6.4 (g)

Item 24.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

40 CFR Part 60, Subpart Dc
Reason: Kings County hospital is replacing its five boiler burners to have the #2 oil burning capability. 40 CFR 60 Subpart Dc will not be applicable to these boilers as per the cost analysis provided by facility in an email dated 10/30/2018 . Therefore the boiler burner replacement does not meet the requirement for a reconstructed boiler.

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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 26.5:

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 26.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 26.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility wide emissions of SO2 continue to be limited to 99.99 tons per year. At the beginning of each month, the facility shall calculate total annual SO2 emissions rolled monthly for the previous consecutive 12-month period.

Monthly SO2 emissions are determined as follows:

SO2 (lb/month) = SO2(ng) (boilers)+ SO2(6)oil (boilers)+ SO2(2)oil (boilers)+ SO2(diesel) (emergency engines) where

SO2(ng)(boilers) = Monthly SO2 emissions based on Natural gas usage (MMcf net natural gas burned/month, multiplied by 0.6 lb/MMcf);

SO2(# 6 oil) (boilers)= Monthly SO2 emissions based on #6 fuel oil usage (Gallons of #6 oil burned/month, multiplied by 157S lb/1000gal); where S = weight % Sulfur content in the #6 fuel oil;

SO2(# 2 oil) (boilers) = Monthly SO2 emissions based on #2 fuel oil usage (Gallons of #2 oil burned/month, multiplied by 142S lb/1000gal); where S = weight % Sulfur content in the #2 fuel oil;

SO2 (diesel)(emergency engines) = Monthly SO2 emissions based on diesel fuel usage (Gallons of diesel burned/month, multiplied by 39.7 lbs/1000gal).

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The emission factors used in the above-mentioned equation, (0.6 lbs/MMcf natural gas), (157S lbs/1000gal #6oil) and (142S lb/1000gal #2 oil), are taken from the USEPA Compilation of Air Pollution Emission Factors (AP-42), Volume I, January 1995, Tables 1.4-2 and 1.3-1, respectively.

The facility shall maintain records showing the quantity of fuel burned on a monthly basis. Records shall be based on verifiable data such as fuel metering data or fuel purchase records to confirm the general accuracy of the monthly fuel usage amounts. All fuel use records and corresponding emission calculations shall be kept on site for a minimum of five (5) years. This information shall be made available to the department upon request.

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 99.99 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 1/30/2020.

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

Condition 27: Capping Monitoring Condition
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 27.1:

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 231-2

Item 27.2:

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

Item 27.3:

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, 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 27.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an

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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 27.5:

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 27.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 27.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility wide emissions of NOx emission total is limited to 99.99 tons per year.

At the beginning of each month, the facility shall calculate total NOx emissions for the previous month and total NOx emissions for the previous consecutive 12-month period. Total emissions shall include all emission sources including exempt sources.

Monthly NOx emissions shall be calculated as follows:

$$\text{NOx (lb/month)} = \text{NOx (ng)} + \text{NOx (\#6oil)} + \text{NOx (\#2oil)} + \text{NOx (Emergency generators/engines)} + \text{NOx (Microturbines)} + \text{NOx (Hydrogen Fuel Cells)}; \text{ where,}$$

$$\text{NOx (ng)} = \text{Monthly NOx emissions from the boilers based on Natural gas usage (MMcf of natural gas burned/month multiplied by the emission factor from the latest stack test results in lb/MMcf)};$$

$$\text{NOx (\# 6 oil)} = \text{Monthly NOx emissions from the boilers based on \#6 fuel oil usage (Gallons of \#6 oil burned/month multiplied by the emission factor from the latest stack test results in lbs/gallons)};$$

$$\text{NOx (\# 2 oil)} = \text{Monthly NOx emissions from the boilers}$$

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based on #2 fuel oil usage (Gallons of #2 oil burned/month, multiplied by emission factor from the latest stack test results in lbs./gallons);

NO_x (diesel emergency generators/engines) = Monthly NO_x emissions from the stationary emergency generators based on fuel usage (gallons of distillate oil burned/month, multiplied by 0.66 lb./gal or 0.48lb/gal (emission factors taken from AP-42 Tables 3.3-1 & 3.4-1) according to the engine size) & heating value of oil as 150,000 btu per gallon

NO_x (Microturbines) = Monthly NO_x emissions from Microturbines (MW hr/month multiplied by manufacturer emission factor 0.356/bs NO_x/MWhr)

NO_x (Hydrogen Fuel Cells) = Monthly NO_x emissions from Hydrogen Fuel Cells based on # of hours of operation (Monthly Mw-hr multiplied by from manufacturer's emission factor 0.0017MW-hr.)

The facility shall maintain records showing the quantity of fuel burned on a monthly basis. Records shall be based on verifiable data such as fuel metering data or fuel purchase records to confirm the general accuracy of the monthly fuel usage amounts. All fuel use records and corresponding emission calculations shall be kept on site for a minimum of five (5) years. This information shall be made available to the department upon request.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 99.99 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 1/30/2020.

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

Condition 28: Capping Monitoring Condition
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 28.1:

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:

40 CFR 52.21 (j)

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Item 28.2:

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

Item 28.3:

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, 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 28.4:

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 28.5:

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 28.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 28.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility wide use of Diesel Fuel for Generators is limited to 120,000 gallons per year.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: DIESEL OIL

Upper Permit Limit: 120,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2019.

Subsequent reports are due every 6 calendar month(s).

Condition 29: Notification



Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 202-1.2

Item 29.1:

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

Condition 30: Visible Emissions Limited

Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 211.2

Item 30.1:

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 31: Compliance Certification

Effective between the dates of 02/21/2019 and 02/20/2024

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

Item 31.1:

The Compliance Certification activity will be performed for the Facility.

Item 31.2:

Compliance Certification 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 0.30% 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



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Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.30 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 32: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR 225-1.2 (g)

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014. Compliance with this limit will be based on vendor certifications.

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 33: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

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

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Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Item 33.2:

Compliance Certification 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.

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 34: Compliance Certification

Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement: 6 NYCRR 225.1 (a) (3)

Item 34.1:

The Compliance Certification activity will be performed for the Facility.

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell, offer for sale, purchase or use any residual oil which has sulfur content greater than 0.30 percent by weight. A log of the sulfur content in oil per

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Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

Condition 40: Engines at Area sources of HAP
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 40.1:

Internal combustion engines, constructed or re-constructed on or after June 12, 2006, that meet the requirements of 40 CFR 60 Subpart IIII or Subpart JJJJ meet the requirements of 40 CFR 63 Subpart ZZZZ.

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

Condition 41: Emission Point Definition By Emission Unit
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 41.1:

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 225

Diameter (in.): 120

NYTMN (km.): 4501.123 NYTME (km.): 589.333 Building: BLDG Z

Item 41.2:

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

Emission Unit: U-00002

Emission Point: 00002

Height (ft.): 225

Diameter (in.): 120

NYTMN (km.): 4501.123 NYTME (km.): 589.333 Building: BLDG Z

Condition 42: Process Definition By Emission Unit
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 42.1:

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

Emission Unit: U-00001

Process: 001

Source Classification Code: 1-03-006-02

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Process Description:

Process 001 consists of the burning of natural gas in two of the Cleaver Brooks boilers (Emission Sources 00001 & 00002), rated at 49.9 MM Btu/hr each, in Emission Unit U-00001, and are located in Building Z (Boiler House). The flue gases from these two boilers exit through a common stack, identified as Emission point 00001.

Emission Source/Control: 00001 - Combustion
Design Capacity: 49.9 million Btu per hour

Emission Source/Control: 00002 - Combustion
Design Capacity: 49.9 million Btu per hour

Item 42.2:

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

Emission Unit: U-00001

Process: 002

Source Classification Code: 1-03-004-02

Process Description:

Process 002 consists of the burning of # 6 residual oil in two of the Cleaver Brooks boilers (Emission Sources 00001 & 00002), rated at 49.9 MM Btu/hr each, in Emission Unit U-00001, and are located in Building Z (Power House). The flue gases from these two boilers exit through a common stack, identified as Emission point 00001.

Emission Source/Control: 00001 - Combustion
Design Capacity: 49.9 million Btu per hour

Emission Source/Control: 00002 - Combustion
Design Capacity: 49.9 million Btu per hour

Item 42.3:

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

Emission Unit: U-00001

Process: 003

Source Classification Code: 1-03-006-02

Process Description:

Process 003 consists of the burning of # 2 distillate fuel oil in two of the Cleaver Brooks boilers (Emission Sources 00001 & 00002), rated at 49.9 MM Btu/hr each, in Emission Unit U-00001, and are located in Building Z (Power House). The flue gases from these two boilers exit through a common stack, identified as Emission point 00001.

Emission Source/Control: 00001 - Combustion
Design Capacity: 49.9 million Btu per hour

Emission Source/Control: 00002 - Combustion
Design Capacity: 49.9 million Btu per hour

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Item 42.4:

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

Emission Unit: U-00002

Process: 010

Source Classification Code: 1-03-006-02

Process Description:

Process 010 consists of the burning of natural gas in three of the Cleaver Brooks boilers (Emission Sources 00003, 00004 & 00005), rated at 49.9 MM Btu/hr each, in Emission Unit U-00002, and are located in Building Z (Power House). The flue gases from these three boilers exit through a common stack, identified as Emission point 00002.

Emission Source/Control: 00003 - Combustion

Design Capacity: 49.9 million Btu per hour

Emission Source/Control: 00004 - Combustion

Design Capacity: 49.9 million Btu per hour

Emission Source/Control: 00005 - Combustion

Design Capacity: 49.9 million Btu per hour

Item 42.5:

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

Emission Unit: U-00002

Process: 020

Source Classification Code: 1-03-004-02

Process Description:

Process 020 consists of the burning of # 6 residual oil in three of the Cleaver Brooks boilers (Emission Sources 00003, 00004 & 00005), rated at 49.9 MM Btu/hr each, in Emission Unit U-00002, and are located in Building Z (Power House). The flue gases from these three boilers exit through a common stack, identified as Emission point 00002.

Emission Source/Control: 00003 - Combustion

Design Capacity: 49.9 million Btu per hour

Emission Source/Control: 00004 - Combustion

Design Capacity: 49.9 million Btu per hour

Emission Source/Control: 00005 - Combustion

Design Capacity: 49.9 million Btu per hour

Item 42.6:

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

Emission Unit: U-00002

Process: 032

Source Classification Code: 1-03-006-02

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Process Description:

Process 032 consists of the burning of # 2 distillate oil in three of the Cleaver Brooks boilers (Emission Sources 00003, 00004 & 00005), rated at 49.9 MM Btu/hr each, in Emission Unit U-00002, and are located in Building Z (Power House). The flue gases from these three boilers exit through a common stack, identified as Emission point 00002.

Emission Source/Control: 00003 - Combustion
Design Capacity: 49.9 million Btu per hour

Emission Source/Control: 00004 - Combustion
Design Capacity: 49.9 million Btu per hour

Emission Source/Control: 00005 - Combustion
Design Capacity: 49.9 million Btu per hour

Item 42.7:

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

Emission Unit: U-00004
Process: TNG Source Classification Code: 2-01-002-01
Process Description: Eight (8) Microturbines burning natural gas.

Emission Source/Control: 00MT1 - Combustion
Design Capacity: 190 kilowatts

Emission Source/Control: 00MT2 - Combustion
Design Capacity: 190 kilowatts

Emission Source/Control: 00MT3 - Combustion
Design Capacity: 190 kilowatts

Emission Source/Control: 00MT4 - Combustion
Design Capacity: 190 kilowatts

Emission Source/Control: 00MT5 - Combustion
Design Capacity: 190 kilowatts

Emission Source/Control: 00MT6 - Combustion
Design Capacity: 190 kilowatts

Emission Source/Control: 00MT7 - Combustion
Design Capacity: 190 kilowatts

Emission Source/Control: 00MT8 - Combustion
Design Capacity: 190 kilowatts

Item 42.8:

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

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Emission Unit: U-00005

Process: DIE

Source Classification Code: 2-01-001-01

Process Description: Emergency engines using diesel/distillate oil.

Emission Source/Control: GEN01 - Combustion

Design Capacity: 2.56 million Btu per hour

Condition 43: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement: 6 NYCRR 227-2.4 (c) (1) (ii)

Item 43.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to distillate oil/gas fired mid-size boilers, emission sources 00001 & 00002.

The owner or operator of a mid-size boiler must comply with the relevant presumptive RACT emission limit of 0.08 pounds per million Btus while burning natural or distillate oil.

The owner or operator shall,

1. Submit a testing protocol to the Department for approval at least 30 days prior to any stack testing.
2. Submit a compliance test report containing the results of the emission test to the department no later than 60 days after the completion of the emission test.

All records shall be kept at the facility for a period of minimum five years.

Upper Permit Limit: 0.08 pounds per million Btus

Reference Test Method: 40 CFR 60 Appendix A - Method 7, 7E, or 19

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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The initial report is due 7/30/2019.
Subsequent reports are due every 6 calendar month(s).

Condition 44: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement: 6 NYCRR 227-2.5 (a)

Item 44.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to all residual oil/gas fired mid-size boilers in this emission Unit.

The owner or operator of mid-size boilers using residual oil/gas must comply with the presumptive NO_x RACT emission limit of 0.20 pounds per million Btus.

As per the stack test results conducted in 2012, facility couldn't achieve the NO_x RACT limit of 0.20lbs/MMBtu while burning #6 residual oil. Hence the facility chose the fuel switching option under 6 NYCRR 227-2.5(a) to comply with NO_x RACT limit. Facility must burn cleaner fuel, which is natural gas, between May 1st and September 30th of each year. Fuel switching must result in quantifiable annual NO_x emissions equal to or less than the NO_x emissions expected if the emission source complied with the applicable presumptive RACT emission limits set forth in section 227-2.4 of this Subpart

The facility has to demonstrate the compliance with this condition for each boilers by calculating annual NO_x emission on a calendar year basis using the following formula.

Annual NO_x in lbs./Yr = ((A)*(B) + (C)*(D)) and it must be equal to or less than ((A)*(E)+(C)*(F)) x 0.2 lbs/ MMBtu;
where,

A = #6 Fuel Oil burned per calendar year, in MGal/Yr.

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Emission Unit: U-00001

Regulated Contaminant(s):

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

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Once during the permit term, the owner or operator must perform boiler stack emission testing, to determine the emission factors used in the calculation for condition under 6 NYCRR Part 227-2.5(a), which is used to verify compliance with the presumptive NOX RACT limit 0.2 lb/MMbtu while boilers burn residual oil.

Facility shall submit a stack test protocol to the Department for approval, a minimum of 30 days prior to any stack testing. The test report containing the results of the emission test must be submitted to the department no later than 60 days after the completion of the emission test.

The facility must maintain onsite, all records demonstrating compliance for a period of minimum five years.

Upper Permit Limit: 0.20 pounds per million Btus

Reference Test Method: 40 CFR Part 60 Appendix A Method 7, 7E, or 19.

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2019.

Subsequent reports are due every 6 calendar month(s).

Condition 46: Compliance Certification

Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement: 6 NYCRR 227-2.4 (c) (1) (ii)

Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

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

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Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to distillate oil/gas fired mid-size boilers, emission sources 00003, 00004 & 00005.

The owner or operator of a mid-size boiler must comply with the relevant presumptive RACT emission limit of 0.08 pounds per million Btus while burning natural gas or or distillate oil.

The owner or operator shall,

1. Submit a testing protocol to the Department for approval atleast 30 days prior to any stack testing.
2. Submit a compliance test report containing the results of the emission test to the department no later than 60 days after the completion of the emission test.

All records shall be kept at the facility for a period of minimum five years.

Upper Permit Limit: 0.08 pounds per million Btus
Reference Test Method: 40 CFR 60 Appendix A Method 7, 7E, or 19
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2019.
Subsequent reports are due every 6 calendar month(s).

Condition 47: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement: 6 NYCRR 227-2.5 (a)

Item 47.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING



Monitoring Description:

This condition applies to all residual oil/gas fired mid-size boilers in this emission Unit.

The owner or operator of mid-size boilers using residual oil/gas must comply with the presumptive NOx RACT emission limit of 0.20 pounds per million Btus.

As per the stack test results conducted in 2012, facility couldn't achieve the NOx RACT limit of 0.20 lbs/MMBtu while burning #6 residual oil. Hence the facility chose the fuel switching option under 6 NYCRR 227-2.5(a) to comply with NOx RACT limit. Facility must burn cleaner fuel, which is natural gas, between May 1st and September 30th of each year. Fuel switching must result in quantifiable annual NOx emissions equal to or less than the NOx emissions expected if the emission source complied with the applicable presumptive RACT emission limits set forth in section 227-2.4 of this Subpart

The facility has to demonstrate the compliance with this condition for each boilers by calculating annual NOx emission on a calendar year basis using the following formula.

Annual NOx in lbs./Yr = ((A)*(B) + (C)*(D)) and it must be equal to or less than ((A)*(E)+(C)*(F)) x 0.2 lbs/ MMBtu;

where,

A = #6 Fuel Oil burned per calendar year, in MGal/Yr.

B = NOx Emission Factor of # 6 Fuel Oil in lbs/MGal (Based on the latest facility stack test.)

C = Natural Gas burned per calendar year, in MMcf/Yr

D = NOx Emission factor of Natural Gas in lbs/MMcf (Based on the latest facility stack test.)

E = 152 MMBtu/MGal; Heating value for one MGal of #6 Fuel Oil burned (Based on AP-42 value of 152,000 Btu/gal # 6 fuel oil burned)

F = 1020 MMBtu/MMcf; Heating value for one MMcf Natural gas burned (Based on AP-42 value of 1020 Btu/scf Natural Gas burned).

The owner or operator must perform stack test once during the permit term as per approved stack test protocol. Stack Test protocol must be submitted to the Department for

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approval a minimum of 30 days prior to any stack testing.

Compliance test report containing the results of the emission test must be submitted to the department no later than 60 days after the completion of the emission test.

The facility must maintain all records demonstrating compliance for a period of minimum five years onsite.

Upper Permit Limit: 0.20 pounds per million Btus
Reference Test Method: 40CFR Part 60, Appendix A Method 7, 7E or 19.
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2019.
Subsequent reports are due every 6 calendar month(s).

Condition 48: Compliance Certification
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement: 6 NYCRR 227-2.6

Item 48.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 48.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:

Once during the permit term, the owner or operator must perform boiler stack emission testing, to determine the emission factors used in the calculation for condition under 6 NYCRR Part 227-2.5(a), which is used to verify compliance with the presumptive NOX RACT limit 0.2 lb/MMbtu while boilers burn residual oil.

Facility shall submit a stack test protocol to the

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Department for approval, a minimum of 30 days prior to any stack testing. The test report containing the results of the emission test must be submitted to the department no later than 60 days after the completion of the emission test.

The facility must maintain onsite, all records demonstrating compliance for a period of minimum five years.

Upper Permit Limit: 0.20 pounds per million Btus
Reference Test Method: 40 CFR Part 60 Appendix A Method 7, 7E, or 19.
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2019.
Subsequent reports are due every 6 calendar month(s).

Condition 49: Capping Monitoring Condition
Effective between the dates of 02/21/2019 and 02/20/2024

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 49.1:

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 231-6

Item 49.2:

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

Item 49.3:

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, 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 49.4:

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

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period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 49.5:

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 49.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

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

Item 49.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Annual total NOx emissions from five sources (four hydrogen fuel cells, emission sources HFCO1-HFC04 and one (1) emergency generator (GEN01)) shall be limited to 2.42 tpy on a 12-month rolling basis.

Total operating hours of the emergency generator GEN01 shall be limited to 425 hrs./year.

Emission Unit NOx emissions for the previous 12 months shall be calculated on a monthly basis using the following formula based on the fuel usage.

Yearly NOx tons per year = {(Emergency generator fuel oil MMBtu/yr. X 4.41lbs/MMbtu) + (Hydrogen Fuel Cells MWh per year X 0.0017lbs/MWh)} x 1ton/2000lbs.

All records demonstrating compliance with this permit limit shall be kept at the facility for a minimum of five years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2019.

Subsequent reports are due every 6 calendar month(s).



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: 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

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Item 53.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 53.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum, supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submitted to, the NYSDEC as per the stated reporting requirement.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2019.

Subsequent reports are due every 6 calendar month(s).