

**Division of Air Resources
Permit Review Report**

Permit ID: 3-3924-00025/00821

Renewal Number: 3

12/07/2020

Facility Identification Data

Name: PEARL RIVER CAMPUS LLC

Address: 401 N MIDDLETOWN RD

PEARL RIVER, NY 10965-1299

Owner/Firm

Name: PEARL RIVER CAMPUS LLC

Address: 4020 KINROSS LAKES PKWY STE 200

RICHFIELD, OH 44286, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: CHRISTOPHER LANG

Address: NYSDEC - REGION 3

21 S PUTT CORNERS RD

NEW PALTZ, NY 12561-5401

Phone:

Division of Air Resources:

Name: ANDREW P CHIN

Address: NYSDEC - REGION 3

21 S. Putt Corners RD

New Paltz, NY 12561-1620

Phone:8452563058

Air Permitting Contact:

Name: NEIL WILSON

Address: Pearl River Campus LLC

4020 Kinross Lakes Pkwy Ste 200

Richfield, OH 44286

Phone:3308082496

Permit Description

Introduction

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

Summary Description of Proposed Project

Air Title V permit renewal.

Attainment Status

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PEARL RIVER CAMPUS LLC is located in the town of ORANGETOWN in the county of ROCKLAND. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

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

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

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

Facility Description:

The Pearl River Campus LLC facility, located in Pearl River, is engaged in the business as a lessor of nonresidential buildings and management of the property. Besides the tenant operations, which are conducted under their own permits, the Pearl River Campus LLC facility operates a number of facility support functions such as warehouses, tanks, wastewater treatment and combustion related sources that generate steam and electricity for use on site. There are five large boilers located onsite with two of them working in conjunction with two combustion turbines. The facility also operates a number of emergency generators.

Permit Structure and Description of Operations

The Title V permit for PEARL RIVER CAMPUS LLC is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:
 combustion - devices which burn fuel to generate heat, steam or power
 incinerator - devices which burn waste material for disposal

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control - emission control devices
process - any device or contrivance which may emit air contaminants
that is not included in the above categories.

PEARL RIVER CAMPUS LLC is defined by the following emission unit(s):

Emission unit F00001 - Boiler No. 4 firing natural gas or No. 2 fuel oil.

Emission unit F00001 is associated with the following emission points (EP):
13256

Process: B01 is located at Building 132A - Boiler No. 4 firing natural gas.

Process: B02 is located at Building 132A - Boiler No. 4 firing No. 2 fuel oil.

Emission unit F00002 - Co-Generation facility consisting of two turbines each with a boiler (boiler No. 1 and No. 2). During periods of start-up, the turbine(s) exhaust through a bypass stack until the unit reaches 90% running speed (boiler permissive) at which time the turbine exhaust is diverted into the boiler(s) after the air purge through the boilers is completed. The water for injection turns on automatically at a pre-set T5 temperature of 1100 Deg. F. The turbine(s) are ramped up to, and then operated at the KW control set point, limited by the T5 maximum setting of 1275 Deg. F. T5 is the turbine third stage inlet (power turbine inlet) temperature. During shut-down, the boiler steam load is shed by gradually reducing and then shutting off fuel to the duct burners (if in use) and then diverting turbine exhaust through the bypass stack. Upon activating a normal stop, the turbine fuel flow is gradually reduced as the unit ramps down from full power to zero power output. The water for injection turns off automatically when the pre-set T5 temperature of 1050 Deg. F. is reached. The fuel flow to the turbine continues throughout the cool-down period and then shuts off, shutting down the turbine. In the event of Turbine failure, the boilers can be fired independently to maintain a steam supply to the facility. This fresh air firing of the boilers would be a non-routine event reserved for emergencies.

Emission unit F00002 is associated with the following emission points (EP):
00101, 00102, 00106, 00107

Process: C01 is located at Building 133C - Operation of Turbines on natural gas, and waste heat boilers with duct burners off, as described in the unit description.

Process: C02 is located at Building 133C - Operation of Turbines and waste heat boiler(s) on natural gas, as described in the unit description. During testing for fuel change-over periods, when the unit is changing from burning natural gas to fuel oil, the turbine and duct burners may be operated on different fuels.

Process: C03 is located at Building 133C - Operation of turbine(s) on No. 2 fuel oil, and waste heat boilers with duct burners off, as described in the unit description.

Process: C04 is located at Building 133C - Operation of turbine(s) and waste heat boiler(s) on No. 2 fuel oil, as described in the unit description.

Process: C05 is located at Building 133C - Fresh air firing using natural gas, of one or both waste heat boilers without combustion of corresponding turbine. This non-routine operation could occur to maintain site steam load if the turbine is taken off line.

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Process: C06 Fresh air firing using No. 2 fuel oil, of one or both waste heat boilers without combustion of corresponding turbine. This non-routine operation could occur to maintain site steam load if the turbine is taken off line.

Process: C07 Operation of waste heat boilers firing natural gas.

Emission unit F00003 - This unit includes equipment associated with the site infrastructure including the wastewater treatment plant, fuel storage and emergency generators.

Emission unit F00003 is associated with the following emission points (EP):
09714, 09715, 14109, 14114, 14116, 54118, FO111, FO112

Process: W01 is located at Building 141COMPLEX - Equipment associated with the waste water treatment plant.

Process: W02 Fuel oil tanks.

Process: W03 Two B190 generators. They are emergency generators operated on diesel fuel. Fuel burned is capped so that annual NOx emissions remain below 5000 pounds per year.

Emission unit F00004 - Boiler No. 5 firing natural gas or No. 2 fuel oil.

Emission unit F00004 is associated with the following emission points (EP):
23155

Process: B03 is located at Building 132A - Boiler No. 5 firing No. 2 fuel oil.

Process: B05 Boiler No. 5 firing natural gas.

Emission unit F00005 - Boiler No. 3 firing natural gas or No. 2 fuel oil.

Emission unit F00005 is associated with the following emission points (EP):
02359

Process: B04 is located at Building 132B - Boiler No. 3 firing natural gas. Maximum design heat input less than or equal to 100 million BTU/hr.

Process: B06 is located at Building 132B - Boiler No. 3 firing No. 2 fuel oil.

Emission unit F00006 - Standby Emergency Generator to provide power for critical site equipment.
Rated for 1250 kW.

Emission unit F00006 is associated with the following emission points (EP):
09716

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Title V/Major Source Status

PEARL RIVER CAMPUS LLC is subject to Title V requirements. This determination is based on the following information:

Facility is major for Carbon Monoxide, Particulates and Oxides of Nitrogen.

Program Applicability

The following chart summarizes the applicability of PEARL RIVER CAMPUS LLC with regards to the principal air pollution regulatory programs:

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

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of

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the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH, 6 NYCRR 200.10) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code	Description
2833	MEDICINALS AND BOTANICALS
2834	PHARMACEUTICAL PREPARATIONS
2836	BIOLOGICAL PRODUCTS, EXCEPT DIAGNOSTIC
6512	NONRESIDENTIAL BUILDING OPERATORS
8731	COMMERCIAL PHYSICAL RESEARCH
9999	NONCLASSIFIABLE ESTABLISHMENTS

SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution

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emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
1-01-006-02	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - NATURAL GAS Boilers < 100 MBtu/Hr except Tangential
1-02-005-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-02-005-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - DISTILLATE OIL 10-100MMBTU/HR **
1-02-005-05	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - DISTILLATE OIL Cogeneration
1-02-006-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS Over 100 MBtu/Hr
1-02-006-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS 10-100 MMBtu/Hr
1-02-006-04	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS Cogeneration
2-02-001-02	INTERNAL COMBUSTION ENGINES - INDUSTRIAL INDUSTRIAL INTERNAL COMBUSTION ENGINE - DISTILLATE OIL(DIESEL) Reciprocating
3-01-820-02	CHEMICAL MANUFACTURING CHEMICAL MANUFACTURING - WASTEWATER AGGREGATE
3-90-900-04	WASTEWATER TREATMENT IN-PROCESS FUEL USE IN-PROCESS FUEL USE - FUEL STORAGE - FIXED ROOF TANKS DISTILLATE OIL (NO. 2): WORKING LOSS

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount of material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

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Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
000630-08-0	CARBON MONOXIDE		239	39946	
0NY210-00-0	OXIDES OF NITROGEN	1192000		212850	
0NY075-00-0	PARTICULATES		28.5	1837	
0NY075-00-5	PM-10		53.4		
007446-09-5	SULFUR DIOXIDE		6.39	115	
0NY100-00-0	TOTAL HAP		5.6681		
0NY998-00-0	VOC		33.9	45	

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

- 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 Part 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 Part 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 Part 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 Part 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.

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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 Part 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 Part 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 Part 201-6.4(i)

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

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

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

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

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

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

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

Item 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)

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: 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

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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_02

**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 standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description

FACILITY	ECL 19-0301	62	Powers and Duties of the Department with respect to air pollution control

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F-00002	40CFR 52-A.21	48, 49, 50, 51, 52, 53	Prevention of Significant Deterioration
F-00002	40CFR 60-A	54	General provisions
FACILITY	40CFR 60-GG.334 (b)	35	Monitoring of Operations: CEMS
FACILITY	40CFR 60-IIII	36	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
F-00003/-/W02	40CFR 60-Kb.116b (b)	55	NSPS for volatile organic liquid storage vessels- monitoring of operations
FACILITY	40CFR 63-JJJJJJ	37	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources
FACILITY	40CFR 63-ZZZZ	38	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 68	18	Chemical accident prevention provisions
FACILITY	40CFR 82-F	19	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 201-1.4	63	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	10	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	11	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	12	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	13	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	20, 39, 40	Title V Permits and the Associated Permit Conditions
F-00003/-/W03	6NYCRR 201-6	56	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	14	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	15	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring

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FACILITY	6NYCRR 201-6.4 (c) (2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	21	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f) (6)	16	Off Permit Changes
FACILITY	6NYCRR 201-6.4 (g)	22	Permit Shield
FACILITY	6NYCRR 201-6.5 (a)	64	State Enforceable Requirements
FACILITY	6NYCRR 201-7	23, 41	Federally Enforceable Emissions Caps
FACILITY	6NYCRR 202-1.1	17	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	65	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	24	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2 (h)	25	Sulfur-in-Fuel Limitations
F-00001/13256	6NYCRR 227-1.3 (a)	42	Smoke Emission Limitations.
F-00005/-/B04/F0050	6NYCRR 227-2.4 (b) (1)	59	Emission limits.
F-00005/-/B06/F0050	6NYCRR 227-2.4 (b) (1)	60	Emission limits.
FACILITY	6NYCRR 227-2.4 (b) (2)	26, 27, 28, 29, 30	NOx requirements.
FACILITY	6NYCRR 227-2.4 (e) (2)	31, 32	Combined cycle combustion turbines.
FACILITY	6NYCRR 227-2.5 (c)	33, 34	Alternative RACT option.
F-00002	6NYCRR 227-2.5 (c)	43	Alternative RACT option.
F-00005	6NYCRR 227-2.5 (c)	58	Alternative RACT option.
F-00002	6NYCRR 231-2	44, 45, 46, 47	New Source Review in Nonattainment Areas and Ozone Transport Region

Applicability Discussion:

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

ECL 19-0301

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

6 NYCRR 200.6

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

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6 NYCRR 201-1.4

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

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (a) (4)

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

6 NYCRR 201-6.4 (a) (7)

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

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to

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inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

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

6 NYCRR 201-6.4 (c) (2)

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

6 NYCRR 201-6.4 (c) (3) (ii)

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

6 NYCRR 201-6.4 (d) (4)

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

6 NYCRR 201-6.4 (e)

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

6 NYCRR 201-6.4 (f) (6)

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

6 NYCRR 201-6.4 (g)

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

6 NYCRR 202-1.1

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

6 NYCRR 202-2.1

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

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previous calENdAr year.

6 NYCRR 202-2.5

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

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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.

40 CFR Part 68

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

40 CFR Part 82, Subpart F

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

Facility Specific Requirements

In addition to Title V, PEARL RIVER CAMPUS LLC has been determined to be subject to the following regulations:

40 CFR 52.21

This citation applies to facilities that are subject to Prevention of Significant Deterioration provisions;

ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) .

40 CFR 60.116b (b)

Owners or operators of affected storage tanks with capacities greater than or equal to 10,000 gallons must keep records of the tanks dimensions and an analysis of its capacity for the life of the tank. If the tank's capacity is less than 20,000 gallons, then it is subject to no other provisions of this subpart.

40 CFR 60.334 (b)

This regulation allows the owner/operator of a gas turbine to use a CEMS to monitor NOx emissions instead of monitoring fuel and water/steam usage.

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40 CFR Part 60, Subpart A

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

40 CFR Part 60, Subpart IIII

This regulation defines performance standards for compression ignition stationary reciprocating internal combustion engines.

40 CFR Part 63, Subpart JJJJJ

This regulation covers facilities that own or operate an industrial, commercial, or institutional boiler as defined in §63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in §63.2, except as specified in §63.11195.

40 CFR Part 63, Subpart ZZZZ

This regulation defines performance standards for stationary reciprocating internal combustion engines.

6 NYCRR 201-6.5 (a)

This subdivision states that the Department shall include state enforceable conditions in Title V permits. State enforceable conditions related to regulations developed pursuant to the Climate Leadership and Community Protection Act (CLCPA) and Article 75 of New York State Environmental Conservation Law may be included in future versions of this permit, as applicable.

6 NYCRR 211.1

This regulation requires that 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.

6 NYCRR 225-1.2 (h)

Sulfur-in-fuel limitation for the firing of distillate oil on or after July 1, 2016.

6 NYCRR 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

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6 NYCRR 227-2.4 (b) (1)
 NOx emission limits for large boilers.

6 NYCRR 227-2.4 (b) (2)
 NOx requirements for large boilers with configurations other than those listed in 227-2.4(a)(1).

6 NYCRR 227-2.4 (e) (2)
 Presumptive NOx RACT emission limits for combined cycle combustion turbines.

6 NYCRR 227-2.5 (c)
 This provision allows the owner or operator to demonstrate that the applicable presumptive RACT emission limit in section 227-2.4 of this Subpart is not economically or technically feasible. Based on this determination the Department is allowed to set a higher emission source specific emission limit.

6 NYCRR Subpart 201-7
 This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is

6 NYCRR Subpart 231-2
 The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

Non Applicability Analysis
List of non-applicable rules and regulations:

Location	Regulation	Short Description
Facility/EU/EP/Process/ES		

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FACILITY 40 CFR Part 63, Subpart Pharmaceutical MACT
GGG

Reason: Facility HAP PTE below major threshold. No cap needed.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.4(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification
Summary of monitoring activities at PEARL RIVER CAMPUS LLC:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

F-00002	48	intermittent emission testing
F-00002	49	intermittent emission testing
F-00002	50	intermittent emission testing
F-00002	51	intermittent emission testing
F-00002	52	intermittent emission testing
F-00002	53	intermittent emission testing
FACILITY	35	record keeping/maintenance procedures
FACILITY	36	record keeping/maintenance procedures
F-00003/-/W02	55	record keeping/maintenance procedures
FACILITY	37	record keeping/maintenance procedures
FACILITY	38	record keeping/maintenance procedures
F-00003/-/W03	56	work practice involving specific operations
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
F-00003/-/W03	57	monitoring of process or control device parameters as surrogate
F-00006	61	work practice involving specific operations
FACILITY	7	record keeping/maintenance procedures
FACILITY	25	work practice involving specific operations
F-00001/13256	42	monitoring of process or control device parameters as surrogate
F-00005/-/B04/F0050	59	intermittent emission testing
F-00005/-/B06/F0050	60	intermittent emission testing
FACILITY	26	record keeping/maintenance procedures
FACILITY	27	intermittent emission testing
FACILITY	28	intermittent emission testing
FACILITY	29	intermittent emission testing
FACILITY	30	intermittent emission testing
FACILITY	31	continuous emission monitoring (cem)
FACILITY	32	continuous emission monitoring (cem)
FACILITY	33	monitoring of process or control device parameters as surrogate
FACILITY	34	monitoring of process or control device parameters

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F-00002	43	as surrogate
F-00005	58	continuous emission monitoring (cem) monitoring of process or control device parameters as surrogate
F-00002	44	work practice involving specific operations
F-00002	45	work practice involving specific operations
F-00002	46	work practice involving specific operations
F-00002	47	work practice involving specific operations

Basis for Monitoring

The facility has a PSD permit for Unit F-00002 the Co-Generation facility consisting of two turbines each with a boiler. The PSD Permit contains limits for the following pollutants; CO, Particulates and PM-10.

Compliance with these limits are verified through Intermittent Stack Testing done upon the request of the Department. Oxides of Nitrogen emitted from Unit F-00002 is regulated under NYCRR Part 231. There are individual limits for the different firing scenarios. NOx is continuously monitored by a CEM Systems.

The Unit F-00002 also has limits on the hours of operation on #2 Fuel Oil and the total number of run hours on #2 Fuel Oil.

The coolant temperature of the condensers is measured because the outlet gas flow is not readily measurable due to negligible flow.

The facility shall not purchase or fire distillate fuel containing sulfur exceeding 0.0015% by weight, as per the new sulfur content limit stated in 6 NYCRR 225. Facilities shall maintain records that certify sulfur in fuel content is in compliance for every delivery. These records shall be maintained on site and available for Department review. Annual reporting is required to verify compliance. This limit supersedes previous conditions under 40 CFR 60 NSPS Subparts Dc and Gg.

Emission limits have been approved through the 2020 NOx RACT plan to Emission Units F-00005, F-00001, F-00004, and F-00002. The NOx emission limit for Emission Unit F-00005 has remained at the presumptive RACT of 0.15 lb/MMBtu for both natural gas and fuel oil. The NOx limit for Emission Unit F-00001 remains at 0.23 lb/MMBtu when firing natural gas and 0.26 lb/MMBtu when firing fuel oil. The NOx limits for EU F-00004 remains at 0.20 lb/MMBtu when firing natural gas and 0.30 lb/MMBtu when firing fuel oil. The NOx limits for EU F-00002 remains at 42 ppmvd (at 15% O2) when firing natural gas and 65 ppmvd (at 15% O2) when firing fuel oil.

Respectively the NOx limits established for EU F-00005, F-00001, F-00004, and F-00002 are 24.1 tpy, 33.1 tpy, 52.2 tpy, and 209 tpy.

The 2020 NOx RACT plan states that Pearl River Campus will continue to follow the work practices set forth in the Small Entity Compliance Guide for Area Source Boilers, in order to comply with the NESHAP for Area Sources: Industrial, Commercial, and Institutional Boilers, 40 CFR Part 63, Subpart JJJJJ (Boiler Area Source NESHAP). Pearl River is subject to JJJJJ

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because it is a non-major source HAP facility (<10 tpy of any toxic, or <25 tpy for any combination of air toxics).

Existing (constructed before 6/4/2010) large area source boilers firing oil are subject to a tune-up every other year. Tune-ups require optimizing total emissions of CO, measuring CO and O₂ levels before and after tune-up, documenting and maintaining monthly fuel records for the 12 months preceding each tuneup. A one-time energy assessment is also required (numerical emission limits are not required). The facility's emergency generators are subject to the federal requirements of 40 CFR Part 63, Subpart ZZZZ (National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines).