

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

CORPORATE ENVIRONMENTAL, HEALTH AND SAFETY

PROCEDURE

AIR RESOURCES

CEHSP E01.02 – Air Permits

Revision 10: 09/12/2014 Effective Date: 09/15/2014

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1.0 PURPOSE

IT IS THE POLICY OF CON EDISON TO COMPLY WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS PERTAINING TO THE PERMITTING OF **AIR CONTAMINATION SOURCES**. The purpose of this procedure is to ensure that all Con Edison **facilities** obtain all required permits, registrations, and/or certificates for the construction, modification, and operation of air contamination sources.

2.0 APPLICABILITY

This Environmental, Health and Safety Procedure (CEHSP) applies to any Con Edison facility or field location constructing, modifying, and/or operating an air contamination source that is not specifically exempt from federal, state or local regulations and rules.

3.0 INTRODUCTION

Prior to installation, **construction**, **modification**, and operation, potential air contamination sources at Con Edison facilities and field locations must be evaluated to determine whether they are required to obtain a permit from the state and/or a local agency. This CEHSP identifies the

types of sources that require permits or are exempt, the different types of permits available, and any applicable renewal requirements.

4.0 COMPLIANCE REQUIREMENTS

All Con Edison facilities must comply with New York State Department of Environmental Conservation (NYSDEC) permitting requirements. In addition, Con Edison facilities located in New York City and Westchester County must comply with applicable local permitting requirements. Rockland County Department of Health (RCDOH) is no longer managing the air permitting for Rockland County as per September 10, 2012 letter received from RCDOH. A table of some typical Con Edison sources and applicable permitting requirements is provided as [Attachment 1](#).

Con Edison must also comply with the requirements of the New Jersey Department of Environmental Protection (NJDEP) for its facilities located in New Jersey.

Environment, Health and Safety (EH&S), Air Resources Section will update the Permit Tracking Application (PTA) for all air permits (including registrations and certificates to operate), permit renewals or permit modifications for all Con Edison's locations and facilities. In situations where a field organization needs to obtain an air permit as part of a contractual agreement with a vendor, the Air Resources Section must be duly notified and the permitting process should be coordinated together with the respective field organization. Determining whether a particular air contamination source is required to obtain a state or local air permit always requires regulatory review (sometimes rigorous) and emissions calculation. This task should be performed by EH&S Air Resources SME. Facility responsible for operation of an air emissions source should consult with EH&S Air Resources Section with any questions regarding air permitting compliance.

4.1 NEW YORK STATE PERMITTING REQUIREMENTS

Whether a potential air emission source (or an entire facility) requires an air permit from the NYSDEC depends on the type of the operations, the potential emissions, and the location of the source(s) and or the facility. Emission sources or facilities permitting requirements fall into one of the following categories: No Permit, Minor Facility Registrations, State Facility Permit or Title V Facility Permit. These categories are discussed below. [Attachment 2](#) presents a flow diagram that summarizes the NYSDEC permitting decision process.

4.1.1 No Permit

Certain air emission activities are exempt from NYSDEC's air permitting program. Facilities that perform only exempt or trivial activities are not required to register with NYSDEC or obtain an air permit. Exempt activities potentially relevant to Con Edison are listed in [Attachment 3](#). Records verifying that a source is exempt or trivial must be maintained for five years. A certification of eligibility for the exemption may be required. Exempt activities may include other activities not listed in Attachment 3. EH&S Air Resources Section should be consulted for evaluation.

Note: **If emergency generators do not meet the definition of an *emergency power generating stationary internal combustion engine* they may** require NYSDEC authorization. Emergency generators that do not meet this definition may require some type of authorization from the NYSDEC. Contact the EH&S Air Resources Section for guidance prior to use of emergency generators that do not meet the definition of emergency power generating stationary internal combustion engine. [1] R

4.1.2 Minor Facility Registrations

Minor facilities must obtain a registration certificate prior to construction and operation. Minor facilities include some gasoline dispensing operations, **non-major facilities** with existing stationary sources subject to a New Source Performance Standard (NSPS), non-major facilities with existing **stationary sources** that emit any **hazardous air pollutant (HAP)**, any stationary source with its potential to emit capped by rule pursuant to 6 NYCRR 201-7.3 and any stationary source with annual actual emissions of regulated pollutant below a threshold pursuant to 6 NYCRR 201-7.3(e). These types of facilities are listed in [Attachment 4](#). Registration information must be submitted to the regional NYSDEC office 30 days prior to starting the activity. Construction may not be initiated until a registration certificate is received from NYSDEC. A registration certificate permits both construction and operation of one or more emission sources at a facility. Registration certificates are valid for the life of the emission source, but will terminate if the rule is amended. All valid certificates to operate for existing minor facilities were extended indefinitely by NYSDEC. [2] R

4.1.3 State Facility Permits

Sources that are not exempt, are not eligible to register, and are not required to obtain a Title V facility permit (discussed below) are required to obtain a state facility permit prior to construction and operation. A state facility permit will cover the construction and operation of the regulated emission sources at a facility. The permit may be issued for an indefinite period of time and may contain conditions to ensure compliance with regulatory requirements. All valid certificates to operate for existing non-major facilities were extended indefinitely by NYSDEC. When Con Edison applies for a permit modification or a new permit at a facility, existing certificates to operate emission sources may be required to be consolidated into a single facility permit.

Modifications to a state facility permit, including new emission units at a permitted facility, physical or operational changes to existing sources, and changes to permit terms or conditions, must be requested by submitting an application to NYSDEC. Authorization must be given prior to making any modifications. Changes or modifications that meet the following criteria do not require permit modification:

- Previously established **emission caps** would not be exceeded.
- Source does not become subject to new requirements.
- Federally enforceable emission cap is **not** established or modified.

Major modifications may trigger additional pre-construction permitting (refer to [CEHSP E01.03, Requirements for New, Reconstructed and Modified Emission Sources](#)) and Title V permitting requirements.

Records of permit modifications must be maintained and available for review by NYSDEC upon request. Additionally, NYSDEC must be notified in writing at least 30 days prior to making changes involving relocation of **emission points**, emission of any new **air contaminant**, and installation of or change to any air cleaning or control equipment. [3] R

4.1.4 Title V Facility Permits

Major sources are required to obtain a Title V facility permit. A source or facility is defined as a “major” facility based on its **potential to emit** (not on actual emissions) and the type of pollutants emitted. The following sources are exempt from major source designation:

- Emission sources that would be required to obtain a Title V facility permit solely because they are subject to regulations or requirements promulgated for the control of accidental releases of substances under section 112(r) of the Clean Air Act or National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Asbestos, Standards for Demolition and Renovation (Title 40, Code of Federal Regulations, Part 61, Subpart M, Section 61.145).
- Emission sources for which federally enforceable emission caps have been accepted below the major source thresholds. In which case a state facility permit or minor permit should be obtained.

In addition, as noted in [Attachment 4](#), NYSDEC has deferred regulation of other non-major sources under Title V.

Title V facility permits, typically are effective for five years, include standard conditions, monitoring requirements where applicable, recordkeeping and reporting requirements, compliance schedules, and compliance certification requirements, and may contain specific conditions to ensure compliance. Draft Title V permits are subject to formal 30-day public review which may include public hearing depending on public interests or concerns for health impact or environmental justice. After the 30-day mandatory review, Title V permits are subject to an additional 45-day review by the United States Environmental Protection Agency (USEPA) before the permits are finally approved. A Title V permit application processing typically takes from 6 to 24 months before final approval by NYSDEC. [4] R. Duration of permit application processing depends on complexity of changes or modifications to the facility and evaluation of the applicability of a newly proposed or finalized state and federal regulations.

A Title V facility permit may be modified according to three procedures depending on the type of change. Modifications are classified as follows:

1. Administrative permit amendments.
2. Minor permit modifications.
3. Significant permit modifications.

Administrative permit amendments include:

- A correction of a typographical error.
- A change of name, address or phone number of person listed in the permit
- A change in ownership and/or operational control.
- Changes that require more frequent monitoring or reporting.

Typically, administrative permit amendments take fifteen (15) days for approval by NYSDEC after submission of applications.

Minor permit modifications include changes that:

- Do not violate any applicable requirements.
- Do not involve significant changes to existing permit monitoring, reporting or recordkeeping requirements.
- Do not require or change a determination of a federal limitation or standard.
- Do not change or establish a permit term or condition that maintains permit status, applicable requirements or their exemptions.

- Are not modifications under Title I (Air Pollution Prevention and Control) of the Clean Air Act.
- Do not result in significant net emission increases under 6 NYCRR Part 231 or Federal Prevention of Significant Deterioration (PSD) program under 40 CFR 52.21.

Typically, NYSDEC makes final decisions on minor modification applications no later than 45 days after submission.

Significant permit modifications are:

- Modifications other than administrative permit amendments or minor permit modifications.
- Significant changes in existing monitoring permit terms or conditions.
- Any relaxations of reporting or recordkeeping permit terms or conditions.

Applications for significant permit modifications are subject to the same provisions for new applications and follow the same procedures and durations as Title V permit applications.

Additional NYSDEC pre-construction permitting may be required for new sources or modifications that exceed specific emission limits at an existing major facility. Refer to [CEHSP E01.03](#), *Requirements for New, Reconstructed and Modified Emission Sources* and contact Corporate EH&S to verify the applicability of these additional permitting requirements. [5] R

4.2 NEW YORK CITY PERMITTING REQUIREMENTS

Emission sources located in New York City may also be required to obtain registration, installation or alteration permits, and a certificate to operate from New York City Department of Environmental Protection (NYCDEP). [Attachment 5](#) presents a list of equipment exempt from New York City permitting requirements. A determination flowchart for permitting requirements is presented in [Attachment 6](#).

4.2.1 Registration

For the following equipment or activities registration applications must be filed with NYCDEP prior to installation, alteration, or operation:

- Fuel-burning equipment, heat input $\geq 350,000$ and < 2.8 million Btu/hr, burning fuel gas, gasoline, or No. 1 or No. 2 fuel oil.
- Demolition of any building or structure, with exceptions.

Spraying of any insulating material in a building or structure.

Applications must be made in duplicate on NYCDEP forms. Upon approval, the stamped registration will be returned and must be posted in the vicinity of the equipment. Registrations are valid for up to 3 years and must be renewed every 3 years throughout the lifetime of the equipment. [6] R

4.2.2 Permit to Install or Alter

Prior to the installation or alteration of equipment, Con Edison must obtain a permit from NYCDEP. Applications must be submitted on NYCDEP authorized and furnished forms.

A permit to install or alter must be obtained for all equipment that is not exempt and/or not registered as specified under "New York City Air Pollution Control Code". Permits to install or alter can only be granted if they demonstrate and/or certify to the satisfaction of the commissioner compliance with certain standards. [7] R

4.2.3 Certificate to Operate

Prior to the operation of equipment that required a permit to install or alter, Con Edison must first obtain a certificate to operate from NYCDEP. Certificates are valid for up to three years and must be renewed every 3 years throughout the lifetime of the equipment. Application for renewal of an operating certificate must be submitted no later than 90 days prior to the expiration of the operating certificate. They must be posted in the vicinity of the equipment for which they are issued. Applications are submitted on NYCDEP authorized and furnished forms (electronic or paper) and centrally managed by EH&S Air Resources Section.

A certificate to operate is not required for testing of equipment or for the purpose of testing an experimental installation or alteration not exceeding 30 days. Certificates to operate can only be granted if they demonstrate and/or certify to the satisfaction of the commissioner compliance with certain standards. [8] R

4.2.4 Permit/Registration Renewals

Con Edison must submit permit or registration renewal applications to NYCDEP, noting any modifications. [9] R

4.3 WESTCHESTER COUNTY PERMITTING REQUIREMENTS

Con Edison must provide the Westchester County Department of Health (WCDOH) as appropriate, with required information on the equipment, operations, and emissions for new, existing, or modified air pollution sources. Written approval must be obtained from this agency prior to construction, modification, or operation of air pollution sources in Westchester County

In Westchester County, Con Edison emission sources fall into one of the categories described below. A permitting decision flow diagram is presented in [Attachment 7](#).

4.3.1 WCDOH Authorization

The WCDOH may exempt an emission source if it believes that the amount of the air contaminant will not increase and that the characteristic of the air contaminant will not change. Several types of combustion sources are exempt from permitting requirements ([Attachment 8](#)). [10] R/P

4.3.2 Permit to Construct

An application, plans, and specifications must be submitted to the WCDOH (and written approval obtained) prior to constructing a new emission source or modifying an existing source. [11] R

4.3.3 Certificate to Operate

No air contamination equipment may be operated without a WCDOH-issued certificate to operate (unless exempt). Application must be made within 30 days of the completion,

construction, or installation of the emission source and any additional requirements in the permit to construct. Permits are issued for up to three years and are renewable or may be issued for the life of the source. [12] R

4.3.4 Certificate Renewals

Con Edison must submit certificate renewal applications to WCDOH, noting any modifications. [13] R

EH&S, Air Resources Section manages and coordinates the preparation and submission of applications, certifications, registrations, permits, plans, and lists.

4.4 NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) PERMITTING REQUIREMENTS

Con Edison currently owns and operates the Meadowlands Heater Facility in Ridgefield, NJ. This facility is a common point on the Transcontinental Gas Pipeline System where natural gas is heater before being delivered into Con Edison's New York gas distribution system at the Manhattan 134th Street and Central Manhattan metering stations. This facility is currently operating under the NJDEP certificate to operate. It is Con Edison's obligation to acquire required permit, renewal and its modifications and provide the NJDEP with required information on the equipment, operations, and emissions for new, existing, or modified air pollution sources. The certificate to operate must be renewal every five years. EH&S Air Resources Section shall coordinate the renewal process while Gas Engineering provides necessary information and payment of requires permit renewal fees. The facility must comply with requirements specified in the permit and other applicable requirements of the N.J.A.C. 7:27-8.1 et. Seq.[14] R.

5.0 DEFINITIONS

Air Contaminant or Air Pollutant: A chemical, dust, compound, fume, gas, mist, odor, smoke, vapor, pollen, or any combination of the above that has the potential to cause any adverse effects on human health, buildings, weather or climate.

Air Contamination Source or Emission Source: Any apparatus, contrivance, or machine capable of causing emission to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device, except **indirect sources**. Examples of emission sources at Con Edison facilities include boilers, gas turbines, diesel engines, paint spray booths, soldering ovens, and storage tanks.

Construction: The initiation of physical on-site construction activities that are of a permanent nature excluding site clearing and excavation. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipe work, and construction of permanent storage structures.

Emergency Power Generating Stationary Internal Combustion Engine: 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 (e.g., test firing the engine for one hour a week to ensure reliability). Stationary internal combustion engines used for peak shaving generation are not emergency power generating stationary internal combustion engines.

Emission Cap: A federally enforceable limit, term, or condition imposed by a permit, or through regulation, that restricts emissions to avoid an applicable requirement to which the source would be subject, to establish enforceable emission reductions, or to avoid the requirement to obtain a Title V facility permit. An emission cap can be facility-wide or limited to one or more emission units. An example of an emission cap at a Con Edison facility would be accepting a permit condition limiting the hours of operation of a source so that emissions of NO_x would be < 25 tons per year (tpy), the threshold for a major source that would need a Title V permit.

Emission Point: Any conduit, chimney, duct, vent, flue, stack or opening of any kind through which air contaminants are emitted to the outdoor atmosphere.

Emission Source: See Air Contamination Source.

Facility: Any piece of property owned or leased by Con Edison. In addition, for this CEHSP, facility refers to all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person, or persons under common control. Con Edison's Astoria facility has several operations with many emission sources that make up a facility.

Fugitive Emissions: Emission of air contaminants which could not reasonably pass through an emission point for which a permit is required.

Hazardous Air Pollutant (HAP): One of substances listed in 6 NYCRR 200.1(ag).

Heat Input: The heat released due to the combustion of fuel. It includes only the weight rate (e.g., pounds per hour) of the fuel fired multiplied by the gross caloric value of the fuel.

Indirect Source: A facility, structure, or installation, the construction or operation of which may result in vehicular emissions. Such emissions include those from certain roads and parking areas.

Major Source or Major Stationary Source: Any stationary source, or any group of stationary sources located on one or more contiguous or adjacent properties under common control with the same two-digit Standard Industrial Classification (SIC) code with emissions above the major thresholds listed below. The thresholds below apply to Con Edison facilities.

<u>Pollutants</u>	<u>Emits or has the Potential to Emit</u> <u>Tons Per Year (tpy)</u>
Nitrogen oxides	>25
Volatile organic compounds	>25
Carbon monoxide	>100
Particulate matter 10 microns or less	>100
Particulate matter 2.5 microns or less	>100
Any one hazardous air pollutant (HAP)	>10
HAPs in aggregate	>25
Any other regulated air pollutant	>100

Note: **Fugitive emissions** must not be considered in determining whether a stationary source is "major" except for HAP sources or unless the facility belongs to one of the following categories:

- Fossil-fuel boilers (or combination thereof) and fossil-fuel-fired steam electric plants totaling more than 250 million Btu/hr **heat input**.
- Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.

Minor Facility: Minor facilities include the following:

- Gasoline dispensing sites subject to 6 NYCRR Part 230.
- Facilities with existing stationary sources that are in industrial categories to which a New Source Performance Standard (NSPS) applies, with potential emissions of regulated contaminants below the Title V applicability thresholds or which have been deferred from the requirement for obtaining a Title V permit.
- Facilities with existing stationary sources which emit any hazardous air pollutant with a potential to emit below the Title V applicability thresholds, or which have been deferred from the requirement for obtaining a Title V permit, 6 NYCRR 201-6.1(c).
- Any stationary source which has its potential to emit capped by rule pursuant to 6 NYCRR 201-7.3.
- Any stationary source which has annual actual emissions of any regulated air contaminant that do not exceed the appropriate threshold in 6 NYCRR 201-7.3(e), regardless of the facility's potential to emit for that contaminant.

Modification: Any physical change or change in the method of operation of an incinerator, stationary combustion installation, or process which (1) increases the hourly emission rate, emission concentration, or emission opacity of any air contaminant; (2) involves the installation or alteration of any air-cleaning installation, air-cleaning device, or control equipment; (3) involves conversion of fuel used in any emission source to a fuel with a higher ash content than the fuel used prior to the change; (4) involves the alteration of any furnace or other physical changes or allows burning of refuse or refuse-derived fuel with fossil fuel; (5) results in the emission of any air pollutant not previously emitted; or (6) equipment retirement or transfer. Routine maintenance, repair, and replacement of original equipment or parts thereof are not considered physical changes. An increase or decrease in the hours of operation is not considered a change in the method of operation if the total emissions do not cause air pollution or contravention of any applicable ambient air quality standard, and the hours of operation are not restricted through a condition of a permit or certificate issued for the air contamination source.

Non-major Facility: A facility that is not a major source (see definition of a major source above)

Potential to Emit: The maximum capacity of an air contamination source to emit any regulated air pollutant under its physical and operational design maximum load. Any physical or operational limitation on the capacity of the emission source to emit a regulated air pollutant, 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, may be treated as a part of the design if the limitation is enforceable by NYSDEC. Fugitive emissions, to the extent that they are quantifiable, are included in determining the potential to emit where required. (An example of potential to emit would be the emissions generated from a emergency diesel generator if it were operated 8,760 hours per year at maximum load. If the emergency diesel generator is only

permitted to operate 4,700 hours per year, the emission generated in that time will be the maximum potential to emit.)

Regulated Air Pollutant or Regulated Air Contaminant: Pollutants listed in 6 NYCRR 200.1(bu). The list includes pollutants for which national ambient air quality standards have been set, hazardous air pollutants, various ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons, and substances regulated under the risk management program requirements of CAA 112(r), 42 USC 7412(r).

Stationary Source: Any building, structure, facility, or installation that emits or may emit any air pollutant in one location and does not move from one location to the other

6.0 REFERENCES

4.1 NEW YORK STATE PERMITTING REQUIREMENTS

- [1] 6 NYCRR 201-3 (Exemptions and Trivial Activities).
- [2] 6 NYCRR 201-4 (Minor Facility Registration); 6 NYCRR 201-7 (Capping by Rule).
- [3] 6 NYCRR 201-5 (State Facility Permits).
- [4] 6 NYCRR 201-6 (Title V Facility permits).
- [5] 6 NYCRR 201-6.6 (Title V Permit renewal and modification).

4.2 NEW YORK CITY PERMITTING REQUIREMENTS

- [6] NYC Admin. Code 24-109 (Registrations); NYC Admin. Code 24-113 (Display of permits, certificates and other notices; removal or mutilation prohibited).
- [7] NYC Admin. Code 24-120 (Permit to Install or Alter); NYC Admin. Code 24-121 (exemptions).
- [8] NYC Admin. Code 24-122 (Certificates to Operate and Renewals, including exception for equipment testing); NYC Admin. Code 24-113 (Display of permits and certificates).
- [9] NYC Admin. Code 24-123 (General requirements for applications for permits, certificates and renewals of certificates).

4.3 WESTCHESTER COUNTY PERMITTING REQUIREMENTS

- [10] Westchester County Sanitary Code 873.1306.6, 873.1308. NOTE: See handwritten memo from Joe Panarelli, Con Edison, documenting Nov. 16, 1995 conversation with Lou Carrea, WCDOH, regarding exemptions from Westchester County air permitting requirements.
- [11] Westchester County Sanitary Code 873.1303, 1304 (permit to construct).

[12] Westchester County Sanitary Code 873.1306 (certificate to operate).

[13] Westchester County Sanitary Code 873.1306.3 (renewal).

4.4 NEW JERSEY PERMITTING REQUIREMENTS

[14] N.J.A.C. 7:27-8.1 et. Seq. (Permits and Certificates for Minor Facilities (and Major Facilities without an Operating Permit))

REVISION HISTORY

<u>Revision Date</u>	<u>Revision #</u>	<u>Summary of Change</u>	<u>Author</u>
9/12/2014	10	<p>Periodic review was completed with the following changes:</p> <p>Clarified that the EH&S Air Resources Section should be contacted to evaluate any air permitting need.</p> <p><u>Section 2.0</u>, specified that this CEHSP is applicable to sources of air contaminants that are not exempt from the local, state and federal rules and regulations.</p> <p>Section 4.0, reference to Rockland County Department of Health (RCDOH) has been removed. Effective July 28, 2012, the Rockland County Bureau of Air Pollution was eliminated and as such the county will no longer be issuing, reviewing or renewing permits. And as such, citation of the RCDOH sanitation codes has been removed from the reference section.</p> <p>Subsection 4.1.1, specified that Corporate EH&S Air Section should be consulted for evaluation of permitting requirements for exempt activities that are not listed in Attachment 3.</p> <p>Specified the types of permit that will be required for emission sources for which federally enforceable emission caps have been accepted below the major source thresholds.</p> <p><u>Subsection 4.1.4</u>, added a statement that the duration of permit application processing depends on complexity of changes or modifications to the facility and evaluation of the applicability of a newly proposed or finalized state and federal regulations.</p> <p><u>Subsection 4.2.3</u>, clarified that certificates are valid for up to three years and should be renewed every 3 years throughout the lifetime of the equipment.</p> <p>A new Section 4.4 added to this CEHSP for the New Jersey Department of Environmental Protection permit requirements for the company's facility, Meadowlands Heaters at Ridgefield NJ.</p> <p>Restructured flow charts for the evaluation of permit requirements and the steps to determine if permit is required were revised to incorporate decisions tree in Attachments 2, 6 and 7.</p>	Ogunsola, F.

ATTACHMENT 1

TYPICAL SOURCES AT CON EDISON FACILITIES THAT REQUIRE AIR PERMITTING

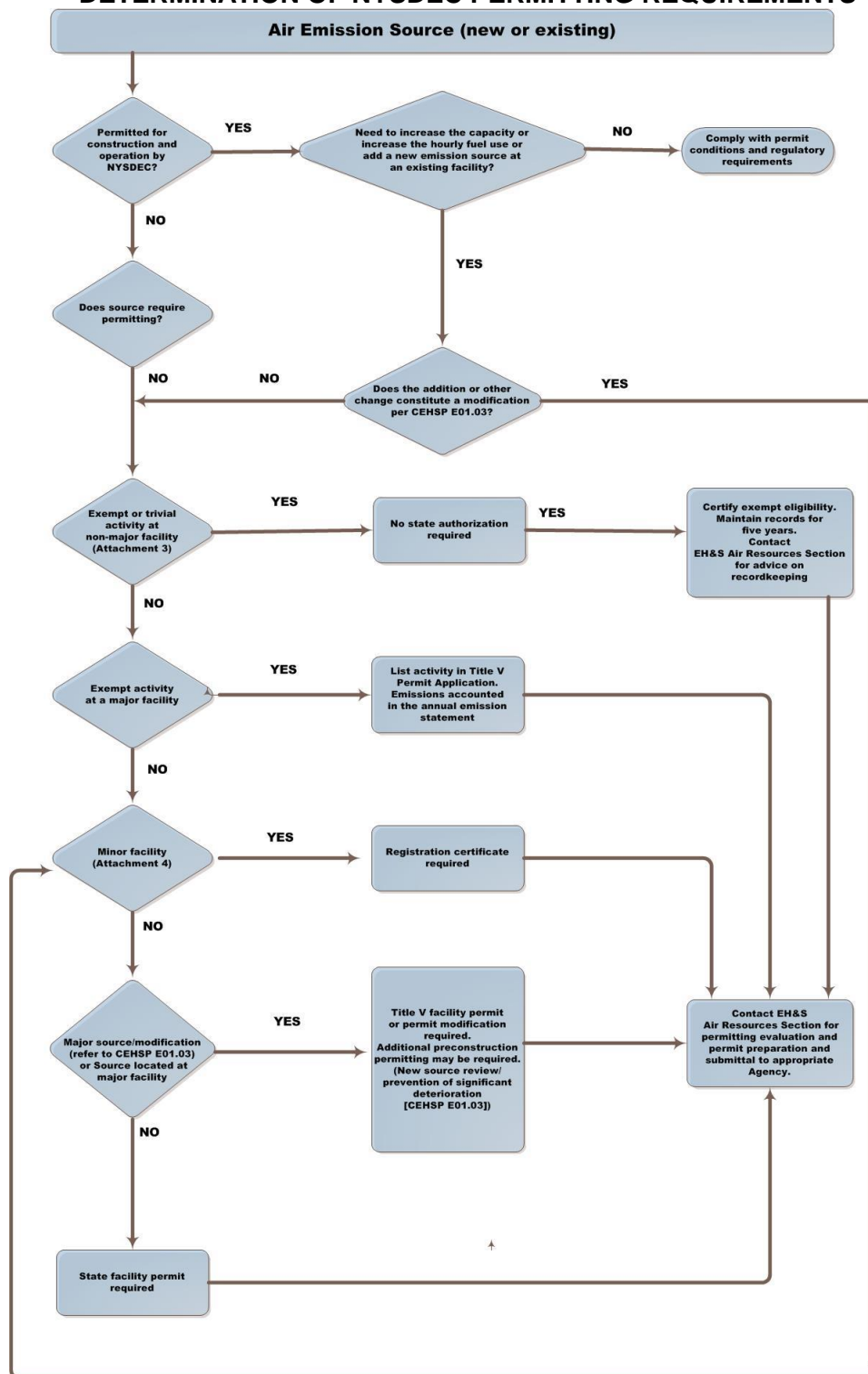
Con Edison Source	New York State Department of Environmental Conservation Permit Required?	New York City Department of Environmental Protection Permit Required?	Westchester County Department of Health Permit Required?
Boilers other than Small (House) Boilers	Yes	No	Yes ¹
Gas Turbines	Yes	Yes	Yes
Small (House) Boilers less than 10 million Btu/hr	No	Yes	Yes ¹
Emergency Diesel Generators	No ²	Yes	No
Portable Air Compressors	No	Yes ³	No
Paint Spray Booths	Yes	Yes	Yes
Gasoline Dispensing Sites ⁴	No	Yes	No
Soldering Ovens	No	Yes	Yes
Steam Jenny	No	Yes	No

Notes:

1. No RCDOH air regulatory limits or requirements for activities, sources or facilities. However, state regulatory requirements are still required and should be complied with accordingly.
2. ¹Oil-fired only.
3. ²NYSDEC exempts diesel or natural gas-powered generators (internal combustion engines) with a maximum rating less than 200 brake horsepower and gasoline-powered units with a maximum rating less than 50 brake horsepower. NYSDEC also exempts generators (internal combustion engines) which are temporarily located at a facility for no more than 30 days per calendar year, where the total combined maximum power rating is less than 1,000 brake horsepower. Additionally, the NYSDEC can grant emergency authorizations for certain emergency situations on a case-by-case basis. Finally, NYSDEC exempts emergency power generators that operate as a mechanical or electrical power source when the usual supply of power is unavailable for no more than 500 hours per year (including operation during emergencies and routine maintenance and exercising).
4. ³Gasoline-powered internal combustion engines greater than 50 horsepower.
5. ⁴Must be in compliance with [CEHSP E01.12](#), *Gasoline Dispensing*.
6. Btu/hour - British thermal units per hour

ATTACHMENT 2

DETERMINATION OF NYSDEC PERMITTING REQUIREMENTS



ATTACHMENT 3
NYSDEC - EXEMPT ACTIVITIES AT CON EDISON FACILITIES

Category	Exempt Activities
Combustion – Stationary or Portable	Max. Input < 10 million Btu/hr burning oil/natural gas.
Combustion – Internal Engines	Internal Combustion Engines maximum power < 200 bhp. Gas turbines - peak load input < 10 million Btu/hr. Emergency power generators operated ≤ 500 hours per year (including emergency operation and routine maintenance and exercising). Gasoline powered engines < 50 bhp Internal combustion engines temporarily located at facility for < 30 days per calendar year where total combined power < 1,000 bhp.
Combustion-Related	Non-contact water-cooling towers and water treatment systems. Boiler water treatment operations.
Commercial – Other	Abrasive cleaning operations which exhaust to an appropriate emission control device.
Storage Vessels	Distillate and residual fuel oil tanks < 300,000 barrels. Pressurized fixed roof tanks. External floating roof tanks, welded roof, metallic shoe primary seal, and secondary seal. External floating roof tanks storing a liquid with true vp of < 4.0 psi, that have a welded roof, and a primary seal. Petroleum and volatile organic liquid tanks < 10,000 gallons. Horizontal petroleum storage tanks. Storage tanks < 750 gallons.
Industrial	Manual applications of adhesives and surface preparation materials. Manual surface coating/painting using brushes, roller, or non-refillable aerosol cans. ¹ Hand-held or manually operated welding, brazing and soldering equipment. Acetylene, butane, and propane torches. Cold cleaning degreasers with an open surface area ≤ 11 sq. ft. and an internal volume ≤ 93 gallons, having an organic solvent loss ≤ 3 gallons per day.
Miscellaneous	Ventilating and exhaust systems for laboratory operations. Exhaust systems for paint mixing, transfer, filling, or sampling, and/or paint storage rooms. Exhaust systems for solvent transfer, filling, or sampling, and/or solvent storage rooms. Research and development activities. Application of odor counteractants and neutralizers. Contaminant detectors, sampling devices and recorders. Emissions from natural gas odoring activities. Venting of compressed natural gas, butane or propane gas cylinders. Process water filtration systems and demineralized water tanks and vents. Steam vents and leaks. Emissions of atmospheric and inert gases

Note:

1 - Painting/coating operations must comply with VOC limitations for architectural coatings and paint spray booths. See [CEHSP E01.10](#), *Architectural Coatings* and [CEHSP E01.13](#), *Surface Coating Operations*.

bhp - brake-horsepower

psi - pounds per square inch.

VOCs - volatile organic compounds.

vp - vapor pressure.

ATTACHMENT 4

TYPES OF MINOR AND TITLE V FACILITIES

Facility Category	Facility/Source Description
Minor Facility Registration	Gasoline-dispensing sites whose annual throughput exceeds 120,000 gallons. Note: Sites registered pursuant to 6 NYCRR Part 612 (petroleum bulk storage program) satisfy this registration requirement. Non-major NSPS facilities, if not otherwise required to be permitted. Facilities that emit any HAP with a potential to emit below the Title V applicability thresholds, including those sources eligible for an emission cap by rule. Sources that have their potential to emit capped by rule under 6 NYCRR 201-7.
State Facility Permit	Facilities that are not eligible for minor facility registration and do not require a Title V facility permit. Includes facilities that have accepted facility-specific emission restrictions to keep their emissions below major stationary source thresholds.
Title V Facility Permits	Any major stationary source. Any stationary source subject to an NSPS standard, limitation, or other requirement. NOTE: USEPA and NYSDEC have deferred regulation of non-major NSPS sources. Any stationary source including an area source subject to a standard or requirement regulating HAPs. NOTE: USEPA and NYSDEC have deferred regulation of most area sources of HAPs. Also, a source is not required to obtain a Title V permit solely because it is subject to accidental release requirements under Section 112(r).

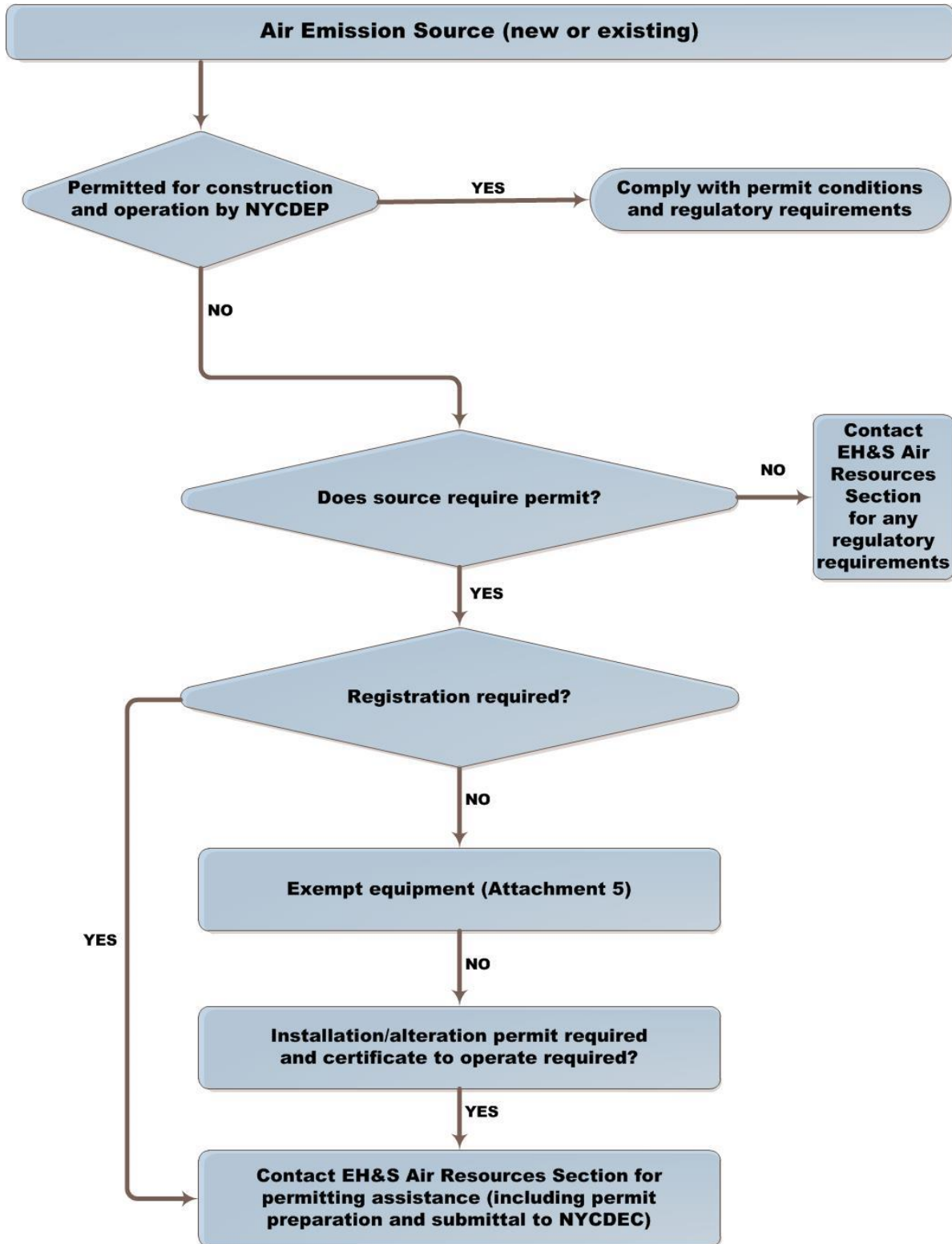
ATTACHMENT 5

NEW NYCDEP - EMISSION EQUIPMENT EXEMPT FROM PERMITTING REQUIREMENTS

Requirement	Exempt Equipment/Source
Registration, Installation and Alteration Permits and Certificate to Operate	Fuel burning equipment or internal combustion engines, heat input <350,000 Btu/hr. Air-conditioning, ventilating, or exhaust systems. Air contaminant detector or air contaminant recorder. Dilution ventilating systems for control of welding fumes and gases. Exhaust systems for controlling steam and heat. Laboratory equipment used exclusively for chemical or physical analyses of non-radioactive material. Vacuum cleaning systems used for housekeeping purposes. Vents for storage tanks, storm drainage systems, steam or air safety valves. Refrigeration equipment used for cold storage. Installations for the preparation of food for on-site consumption. Ventilating or exhaust systems for paint storage rooms or cabinets. Water-cooling towers and ponds not used for cooling of process water.

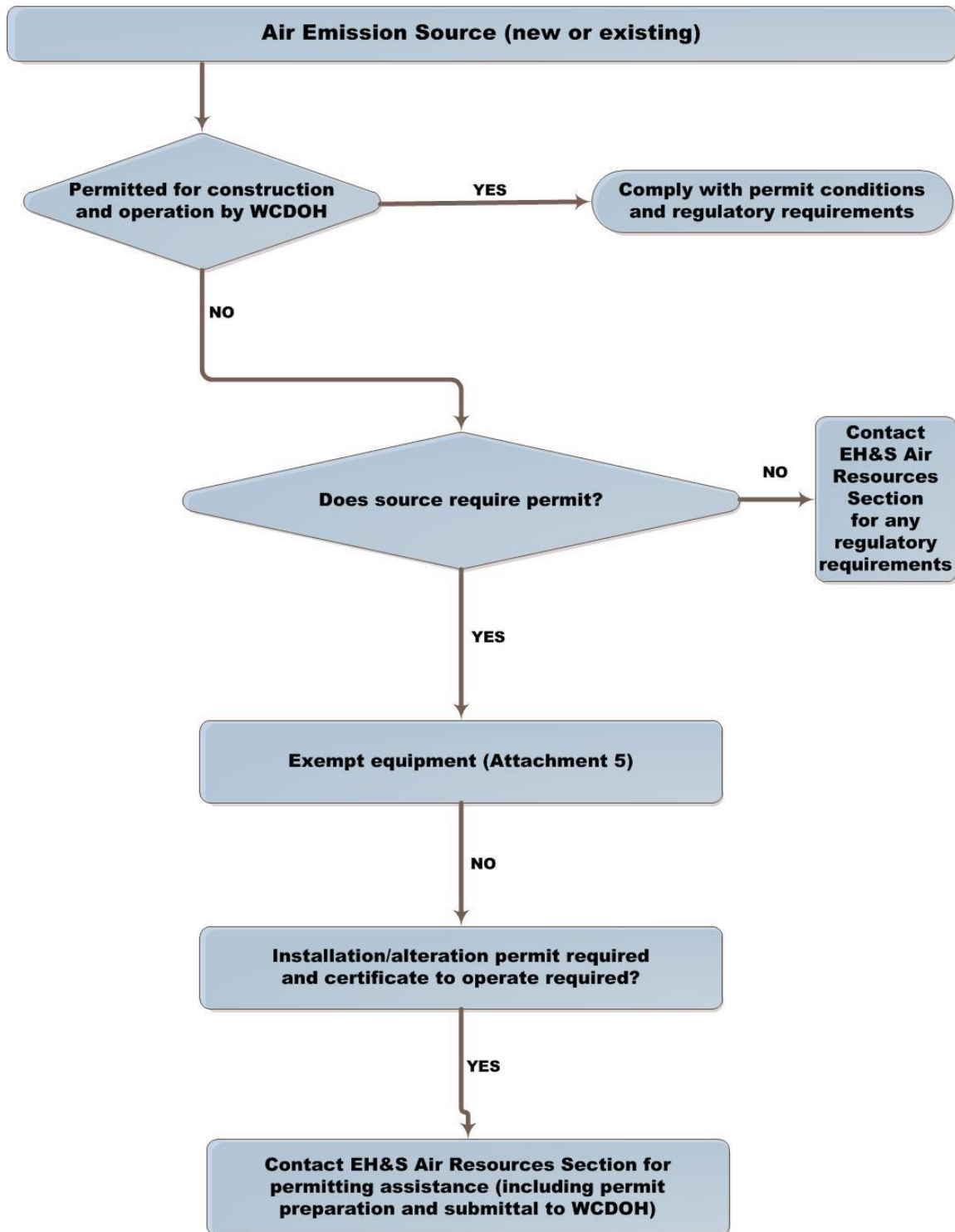
ATTACHMENT 6

DETERMINATION OF NYCDEP PERMITTING REQUIREMENTS



ATTACHMENT 7

DETERMINATION OF WCDOH PERMITTING REQUIREMENTS



**ATTACHMENT 8
WCDOH -
EQUIPMENT EXEMPT FROM REGISTRATION
AND PERMITTING REQUIREMENTS**

Combustion Sources	Any boiler source fueled by natural gas Emergency power generating sources consistent with NYSDEC exemption
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