

General Permits for Small Combustion and Heating Units

June 1997

In May and June 1997, the New York State Department of Environmental Conservation (DEC) issued two General Air Emissions Permits to be used for certain types of small stationary combustion installations. One is for facilities that are subject to Title V air permitting as Major sources of air pollutants, and the other is for facilities that qualify for State Facility Permits.

This fact sheet summarizes the intent and applicability of these General Permits. Additional technical information is available by calling the Small Business Assistance Program (SBAP) at the toll-free number below for free and confidential help. Fact sheets that describe the state requirements for emissions of oxides of nitrogen (NOx) from combustion sources and how facilities can limit their emission potential with New York State Air Emissions Permits are also available.

Purpose of the General Permits

DEC developed two General Permits: the Title V General Permit and the State Facility General Permit. The State Facility General Permit is intended to be used for combustion units at non-Major facilities, whereas the Title V General Permit is intended for Major facilities subject to Title V permitting requirements. Their purpose is to standardize the permitting of boilers and reciprocating internal combustion engines (i.e. emergency power generators, stationary diesel engines) within a certain size and/or heating capacity.

Eligible Facilities

Not all combustion facilities will be eligible for these General Permits. Specifically, only combustion units/installations with a maximum heat input capacity of 100 million Btu/hr or less and that are fired with natural gas, residual fuel oil (no. 5 or no. 6 oil), distillate fuel oil (no. 2 or no. 4 oil), or diesel, may operate under these General Permits.

Any of the following conditions will **disqualify** a facility or its combustion operations from obtaining authorization to operate under these General Permits:

- the facility fires coal or the facility fires waste fuel and/or waste oil;
- the facility is subject to the Prevention of Significant Deterioration (PSD) regulations or the New Source Review in Non-Attainment Areas regulations (6NYCRR Part 231);
- the facility is proposing to limit their emissions by following the requirements under 6NYCRR 201-7.3 ("capping by rule"; refer to the fact sheet on capping with New York State Air Emissions Permits); or
- the facility contains any emission point that has combustion sources with maximum heat input capacities totaling 250 million Btu/hr or greater.

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Need more facts?

For technical assistance and for help with permitting, call the Small Business Assistance Program (SBAP) of the New York State Environmental Facilities Corporation
(800) 780-7227

For information about regulations, compliance financing assistance, and assistance resolving regulatory difficulties, contact the Environmental Ombudsman Unit of Empire State Development
(800) 782-8369

Both offer free and confidential assistance to small businesses.

The New York State
Small Business
Stationary Source
Technical
and
Environmental
Compliance
Assistance
Program

Major Facility or Non-Major Facility?

The following tables contain the criteria used by DEC to initially determine if a stationary combustion facility should be classified as a Major facility, which would require a Title V Permit, or a non-Major facility, which would require a State Facility Permit. If your facility's **emissions** equal or exceed the values in **Table 1** or if your facility's **fuel usage** equals or exceeds the values in **Table 2**, it is classified as a Major facility.

Table 1. Major Facility Thresholds by Annual Emissions

Air Pollutant	NYC Metro Area* and Lower Orange County** (tons/yr)***	Remainder of New York State (tons/yr)***
Oxides of Nitrogen	25	100
Carbon Monoxide	50	100
PM-10 and particulates	100	100
Sulfur Dioxide	100	100

* The NYC Metro area includes New York City and Nassau, Rockland, Westchester, and Suffolk Counties.

**Lower Orange County includes the towns of Blooming Grove, Chester, Highlands, Monroe, Tuxedo, Warwick, and Woodbury.

***Tons per year, based on the combined potential to emit (PTE) of all combustion installations at a facility. PTE means the maximum capacity of an air pollution source to emit any regulated air pollutant under its physical and operational design; PTE assumes the source operates at maximum capacity 24 hours per day, 365 days per year (8760 hours/yr).

Table 2. Major Facility Thresholds by Annual Fuel Usage

Location	Residual Oil (gal/yr)	Distillate Oil (gal/yr)	Natural Gas (cubic ft/yr)
New York City; Counties of Nassau, Rockland, and Westchester	666,000	2,499,000	357,000,000
Suffolk County	666,000	1,408,000	357,000,000
City of Lackawana; South Buffalo	1,158,000	1,280,000	1,428,000,000
Remainder of New York State	849,000	938,000	1,428,000,000

Federal regulations require states to initially classify a combustion facility as Major if its physical capacity (i.e., heat input design rating) and operational capacity (i.e., continuous operation-24 hrs/day, 365 days/yr), also known as potential to emit (PTE), equal or exceed the Major thresholds. Limiting factors such as seasonal operation or fuel usage may give a more realistic actual annual emission level. However, these limiting factors must be recorded in a DEC air permit to be considered valid. Failure to obtain the permits or permit revisions needed to establish clear and legal annual emission limits and other important requirements could expose the facility owner to significant state and federal enforcement actions and costly monetary fines.

Likely Candidates for These Permits

DEC anticipates that thousands of existing facilities with eligible combustion installations will be able to use these permits. The largest percentage of these facilities are likely to be located in the NYC Metropolitan Area. These facilities will include

- those that currently have no permit from DEC (some may have been exempt in the past)
- those that do have a permit but need to have their permits modified to establish legally enforceable emission limits (refer to the fact sheets about NO_x control requirements and capping emissions with New York State Air Permits)
- those that need Title V operating permits

Use the attached table of questions and worksheets to help determine if your facility qualifies to use the State Facility General Permit.

Deadlines

Applications for the Title V General Permit for residential and commercial real estate property combustion installations are due by June 9, 1997. Applications for the State Facility General Permit, used to obtain a legally enforceable emission cap, also must be submitted by June 9, 1997. Other Major (Title V) facilities that contain both combustion and non-combustion emission units will need to apply for the General Permits by December 1997 or December 1998, depending on the primary Standard Industrial Classification (SIC) code that applies to the facility.

Facilities that contain both combustion and non-combustion emission units that plan to cap their emissions to avoid Title V status must notify DEC of their intent to cap at least 1 year before their Title V submission date of December 1997 or December 1998, again depending on their SIC code.