



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

ANNOUNCEMENT OF A PUBLIC COMMENT PERIOD **U.S. Environmental Protection Agency**

Prevention of Significant Deterioration of Air Quality **Draft Permit Revisions**

Caithness Long Island Energy Center, LLC

Public Comment Period: December 2, 2022 to January 3, 2023

The U.S. Environmental Protection Agency, Region 2 Office (EPA) is seeking public comment on draft revisions to the Prevention of Significant Deterioration (PSD) of Air Quality permit for Caithness Long Island Energy Center, LLC (CLIEC).

APPLICANT:

Caithness Long Island Energy Center, LLC
565 Fifth Avenue 29th Floor
New York, NY 10017-2478

BACKGROUND/FINDINGS: On March 21, 2022, the U.S. Environmental Protection Agency's Region 2 office (EPA) received a request¹ from CLIEC to revise the PSD permit initially issued by EPA on April 7, 2006 as revised on August 19, 2020 ("2020 PSD permit"²). CLIEC's request includes an air quality analysis in support of the revisions. CLIEC is a 346 megawatt (MW) combined-cycle electric power generating facility located in the town of Brookhaven, Suffolk County, New York, and consists of a combined cycle combustion turbine generator ("CT") and its associated heat recovery steam generator, an auxiliary boiler ("AB"), a fuel gas heater, and an emergency fire pump. Both the CT and AB are permitted to combust natural gas as primary fuel, and distillate fuel oil as the backup fuel. The fuel gas heater and the heat recovery steam generator are permitted to combust only natural gas, and the emergency fire pump is permitted to combust only distillate fuel oil. The 2020 PSD permit does not allow the AB to be operated simultaneously with the CT except for limited periods during CT startup events.

On March 21, 2022, CLIEC requested that EPA revise the 2020 PSD permit to: (1) allow the AB to be operated simultaneously with the CT under the following additional three scenarios which were not

¹ Additional information and clarifications regarding the revisions requested were subsequently provided by CLIEC via emails at various dates and also during a May 9, 2022 call.

² The 2020 PSD permit represented revisions to the April 7, 2006 initial PSD permit. A copy of the 2006 permit and the 2020 revisions are available on the EPA website at <https://www.epa.gov/caa-permitting/caithness-long-island-llc-brookhaven-ny>. and <https://www.epa.gov/caa-permitting/caithness-long-island-llc-brookhaven-ny-4>.

anticipated by CLIEC in 2006 at the time of issuance of the initial PSD permit: (i) periodic testing of the AB following repairs and maintenance work on the AB as well as for any regulatory-required testing of the AB, to ensure that the AB will be ready and fully operational by the time the CT is not in operation; (ii) two (2) hours prior to the CT shutdown events (CT shutdown while on either natural gas or fuel oil); and (iii) during CT shutdown events (shutdown on either natural gas or fuel oil); (2) remove the PSD permit condition that establishes a maximum limit of 4,380 hours during any 12-month consecutive period for the duct burner (“DB”) and replace it with the DB’s maximum heat input limit of 2,163,720 million British Thermal Units (“MMBTU”) during any 12-month consecutive period; and (3) remove the fuel gas heater from the 2020 PSD permit, since it was already removed from service. The revisions requested by CLIEC do not modify any emission limits included in the 2020 PSD permit. A detailed description of the 2020 PSD permit conditions altered by the proposed revisions is included in the Fact Sheet that is available on the EPA’s website at <https://www.epa.gov/caa-permitting/caa-permits-issued-epa-region-2#pendingpsd>.

ADMINISTRATIVE RECORD: EPA has prepared a draft permit for public comment, as well as a Fact Sheet that explains the basis of the permit conditions. These documents, as well as the application, are available on EPA’s website at <https://www.epa.gov/caa-permitting/caa-permits-issued-epa-region-2#pendingpsd>. Additional information can be obtained from the EPA representatives listed below.

PUBLIC COMMENT: The purpose of this notice is to solicit comments from the public on the preliminary determination to approve CLIEC’s PSD permit revisions. Persons wishing to comment on this draft permit must do so in writing, during the 30-day public comment period, by the public comment closure date shown above. Comments should focus only on the draft PSD permit revisions as EPA is not accepting comments on conditions in the 2020 PSD permit that remain unchanged. Any interested person may submit written comments on the draft permit during the public comment period. If you believe that any revision to the conditions in this draft revised permit are inappropriate, you must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting your position by the end of the comment period. Any documents supporting your comments must be included in full and may not be incorporated by reference unless they are already part of the administrative record for this permit or consist of state or federal statutes or regulations, EPA documents of general applicability, or other generally available reference materials. All comments received prior to the close of the public comment period will be included in the administrative record and will be made available to the public. All comments received during the public comment period and made during a public hearing, if one is held, will be considered in arriving at the final permit decision. A statement of reasons for any changes made from the draft to the final permit and responses to comments received will be sent to persons who commented on the draft permit. Please note that an email address must be provided with your comments if you wish to receive direct notification of EPA’s final permit decision and/or the response to comments document. Written comments on the draft permit may be submitted by email to:

[Viorica Petriman](mailto:petriman.viorica@epa.gov)
(petriman.viorica@epa.gov)
U.S. EPA, Region 2
Environmental Engineer
Permitting Section
Air Programs Branch
Phone: (212) 637-4021

PUBLIC HEARING: Pursuant to 40 C.F.R. § 124.12, EPA will hold a public hearing if EPA determines that there is a significant degree of public interest in the draft permit. Requests for a public hearing on the draft permit must be made in writing and must state the nature of the issues proposed to be raised at the hearing. Please submit your requests for a public hearing for this draft permit by January 3, 2023 by email to:

[Suilin Chan](mailto:chan.suilin@epa.gov)
(chan.suilin@epa.gov)
U.S. EPA, Region 2
Chief, Permitting Section
Air Programs Branch
Phone: (212) 637-4019

If a public hearing is granted, a public notice stating the date, time and place of the hearing will be issued at least 30 days prior to the hearing and the comment period will be extended through the hearing date.

APPEAL PROCEDURES: EPA's final permit decision may be appealed administratively within 30 days of service of notice of the final determination. The procedures for administrative review are provided at 40 C.F.R. part 124.19 (Appeal of RCRA, UIC, NPDES and PSD Permits). Only those persons who file comments or participate in the public hearing on the draft permit may petition for administrative review. Persons who fail to file comments or participate in the public hearing may petition for review only to the extent of changes from the draft permit to the final permit decision. If no comments are received and EPA makes no changes from the draft permit to the final permit decision, no administrative review will be made available. Upon completion of the administrative review process (if applicable), the final permit decision will become final agency action and will be published in the Federal Register. Judicial review of this final action is available in the United States Court of Appeals within 60 days from the date on which this action appears in the Federal Register. A petition for administrative review is a prerequisite to seeking judicial review of final agency actions.