Agency Use Only [IfApplicable]

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The current Title V permit for the Rikers Island cogeneration facility, consisting of two 7.5-megawatt natural gas-fired combustion turbines and installed in 2014, has annual emission caps for nitrogen oxides (NOx) and particulate matter less than 10 microns in diameter (PM10) that limit boiler operations. The Applicant proposes the removal of these limitations on the boilers, which require modifications to the Title V permit conditions. In addition, new NOx emission limits will be established, which will require the cogeneration plant to meet a limit of 12 parts per million (ppm) when the combustion turbine is operating without additional natural gas-fired duct firing HRSGs. A NOx emission limit of 15 ppm is proposed when the combustion turbine is operating with duct firing HRSGs. The annual NOx emissions cap on the cogeneration plant is being revised to 52 tons per year (tpy).

No new equipment or physical modifications to the Rikers Island cogeneration plant, boilers, or engines are proposed. The proposed permit modifications would not result in any construction of new facilities or structures; would not result in subsurface disturbance; would not result in any change to existing land use or zoning and would not require any zoning actions; would not introduce any new sources of noise or new noise-sensitive uses; would not result in a new population; and would not displace an existing population or business.

An air dispersion modeling analysis was performed by the Applicant to demonstrate compliance with 1-hour NO2 National Ambient Air Quality Standards (NAAQS) in support of the Title V modification and renewal application. The results of the modeling analysis determined that the facility with the proposed permit modifications results in local increases in 1-hour NO2 concentrations, particularly at nearby locations on Rikers Island and over the open water. However, the modeled 1-hour NO2 concentrations from the facility, when added to ambient background levels, were not predicted to exceed the 1-hour NAAQS. In addition, 1-hour NO2 concentrations significantly drop at distant locations further away from the modeled sources. In order to avoid potential exceedances of the 1-hour NO2 standard, the facility is accepting new permit conditions, thereby reducing the number of engines that could participate in PLM programs and also defining limits on the maximum enrolled capacity for the PLM engines. Furthermore, new NOx emission limits will be established which will require the cogeneration facility to meet stringent NOx emission levels and the annual NOx emissions from the cogeneration unit are being capped at 52 tons per year.

Pursuant to 6NYCRR, Part 617, State Environmental Quality Review (SEQRA), the NYCDOC assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in an environmental assessment dated March 23, 2021 and the aforementioned conditions in place, NYCDOC has determined that the proposed action would not have a significant adverse impact on the environment.

This Negative Declaration has been prepared in accordance with Article 8 of SEQRA.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the New York City Department of Correction (NYCDOC) as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Renewal and modification of a Title V Air Permit	
Name of Lead Agency: New York City Department of Correction	
Name of Responsible Officer in Lead Agency: Alex Mahoney	
Title of Responsible Officer: Executive Director of Facilities	
Signature of Responsible Officer in Lead Agency:	Date: 7-14-2022
Signature of Preparer (if different from Responsible Officer)	Date:

For Further Information:

Contact Person: Mr. Alex Mahoney

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For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

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