

**WESTCHESTER COUNTY DEPARTMENT OF HEALTH  
GUIDELINES FOR FILING APPLICATIONS FOR AIR CONTAMINATION SOURCES  
STATIONARY COMBUSTION INSTALLATION**

**APPLICATIONS FOR PERMIT TO CONSTRUCT OR MODIFY**

**Description:** Prior to the construction of a new or modification of an existing emission point, approval must be secured from the Westchester County Department of Health.

**Applicable Codes:** Chapter 873, Article XIII, Section 873.1303.1 and 873.1306.1 of the Laws of Westchester County and Chapter III, Part 201 and Part 227 of New York State Environmental Conservation Code of Rules and Regulations.

**Fees:** Chapter 873, Article XXI of the Laws of Westchester County

These guidelines apply only to stationary combustion installations equipped with burners with a maximum rating 1MMBTU/hr or greater that utilize fuel #2, #4 or #6 fuel oil to provide heat and hot water to a building for the comfort of occupants.

Local Law Intro #9014-2016 adopted on June 20, 2016 and approved by the County Executive on June 27, 2016 amends provisions of the Westchester County Sanitary Code to prohibit the use of fuel oil grade #6 on and after July 31, 2018 and fuel oil grade #4 on and after July 31, 2020 in stationary combustion installations.

When requesting approval to construct a source of air contamination pursuant to the above provisions, the following serves as the minimum requirements.

1. A licensed Professional Engineer licensed and registered to practice in the State of New York must prepare application.
2. Application fee: **\$500.00** per emission point. Check shall be made out to Westchester County Department of Health.
3. A Letter of Authorization bearing the original signature of the owner authorizing the Professional Engineer to file application and plans on behalf of the owner.
4. If the owner is corporation or partnership, the Certificate of Resolution form should be completed, signed and notarized. Form can be found on our website (<http://health.westchestergov.com/images/stories/pdfs/CertificateResolution-fillable.pdf>)
5. Two (2) original Westchester County Department of Health Applications for a Permit to Construct or Certificate to Operate a Source of Air Contamination (Form B2) with all relevant items completed. This form must be dated and bear the original seal/stamp and original signature of the Professional Engineer and the signature of the owner.
6. Environmental Assessment Form
7. Proof of Workers' Compensation and Disability Benefits Insurance (forms C-105.2 and Disability Benefits-120.1). Contact your insurance carrier to obtain these forms. If your facility does not require insurance coverage, please visit the workers compensation board's website (<http://www.wcb.ny.gov>) and request a Certificate of Attestation of Exemption, Form CE-200. Upon completion of the form online, print up certificate, sign, date, and submit to this department.

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**STATIONARY COMBUSTION INSTALLATION** (Continued)

8. One (1) original Engineer's Report bearing the original seal/stamp and original signature of the Professional Engineer. The Engineer's Report must provide a narrative of the scope, details and specification of the project. Provide equipment specifications.
9. Plans  
Minimum of two (2) sets are required, additional copies of plans may be submitted at owner's discretion. Plans should include.
  - i. Site plan showing property line, local streets, building dimensions, stack locations (proposed and existing), nearest receptor with distance from stack, north arrow and prevailing wind direction.
  - ii. Plan and elevation views of process and equipment relating to this source of air contamination, for example boiler, burner, stack, duct, etc. An elevation view of the process must indicate stack height and height of stack above roof.
  - iii. Equipment details including make, model, capacity, fuel type, etc.
  - iv. Plans must be prepared in accordance with New York State Education Law and must bear alteration warning statement.
10. All boilers must comply with the requirements of Part 227 of NYCRR.

Note: In addition, a permit and/or registration from the New York State Department of Environmental Conservation may also be required. Contact NYSDEC at (914) 803-8174 (Maria Antoniou) or (914)803-8139 (Densford Escarpetta).

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STATIONARY COMBUSTION INSTALLATION (Continued)**

**APPLICATION FOR CERTIFICATE TO OPERATE**

**Description:** Prior to the activation of a newly constructed or of a modified existing emission point, approval must be secured from the Westchester County Department of Health.

When requesting approval to operate a source of air contamination pursuant to the above provisions, the following serves as the minimum requirements.

1. A licensed Professional Engineer licensed and registered to practice in the State of New York must prepare application(s).
2. Westchester County Department of Health Application for a Permit to Construct or Certificate to Operate a Source of Air Contamination (Form B2) with Completion of Works Section G filled out.
3. Letter of Certification from Professional Engineer indicating that construction was in accordance with approved plans. Letter must bear original seal/stamp and original signature of Professional Engineer.
4. Two (2) sets of "As Built" plans with original seal/stamp and original signature of the Professional Engineer. Plans must be prepared in accordance with New York State Education Law and must bear alteration warning statement and be marked "As Built".

Questions may be directed to the Air Quality Program, Natasha Court, P.E., Associate Engineer at 914.864.7278 or 914.864.7279.

**Please submit completed applications to:**

Westchester County Department of Health  
Bureau of Environmental Quality  
25 Moore Avenue  
Mount Kisco, NY 10549  
Attention: Natasha Court PE, Associate Engineer