



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 2-6304-01324/00004  
Effective Date: 01/14/2010                      Expiration Date: No expiration date

Permit Issued To: KTN CLEANER INC  
ENTERPRISE CLEANERS  
37-26 30TH ST  
LONG ISLAND CITY, NY 11101-2614

Contact:            MICHAEL KONG  
ENTERPRISE CLEANERS  
37-26 30TH STREET  
LONG ISLAND CITY, NY 11101  
(718) 433-1889

Facility:            ENTERPRISE CLEANERS  
37-26 30TH ST  
LONG ISLAND CITY, NY 11101-2614

Description:  
ENTERPRISE CLEANERS is a commercial dry cleaning facility located at 37-26 30<sup>th</sup> St in Long Island City (Queens), New York.

The facility is a perchloroethylene cleaner in a mixed-use commercial location operating 4 (four) dry-to-dry fourth generation dry cleaning machines. The machines are equipped with refrigerated condensers and carbon absorbers.

The facility annual emissions are capped for Hazardous Air Pollutants (HAPs) at 10 tons per year (for any individual HAP), and for perchloroethylene at 2,100 gallons per year.

Records demonstrating compliance with these caps will be kept in accordance with the permit special conditions.

The facility is subject to the provisions of State Facility specified under 6NYCRR Part 201-7.2.

The Air State Facility permit contains listing of the applicable federal, state, and compliance monitoring requirements for the facility.

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 2630401324**



By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator:            JOHN F CRYAN  
   NYSDEC  
   47-40 21ST ST  
   LONG ISLAND CITY, NY 11101-5407

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

**Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
  - Applications for permit renewals, modifications and transfers
  - Permit modifications, suspensions or revocations by the Department
  - Permit modifications, suspensions or revocations by the Department

**Facility Level**

- Submission of application for permit modification or renewal - REGION  
2 HEADQUARTERS



**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.



**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**Condition 5: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 5.1:**

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 6: Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 6.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 2 Headquarters  
Division of Environmental Permits  
1 Hunters Point Plaza, 4740 21st Street  
Long Island City, NY 11101-5407  
(718) 482-4997

**New York State Department of Environmental Conservation**

Permit ID: 2-6304-01324/00004

Facility DEC ID: 2630401324



**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY  
PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To:KTN CLEANER INC  
ENTERPRISE CLEANERS  
37-26 30TH ST  
LONG ISLAND CITY, NY 11101-2614

Facility: ENTERPRISE CLEANERS  
37-26 30TH ST  
LONG ISLAND CITY, NY 11101-2614

Authorized Activity By Standard Industrial Classification Code:  
7216 - DRY CLEANING PLANTS, EXCEPT RUGS

Permit Effective Date: 01/14/2010  
date.

Permit Expiration Date: No expiration  
date.



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 201-7.2: Facility Permissible Emissions
- \*2 6 NYCRR 201-7.2: Capping Monitoring Condition
- \*3 6 NYCRR 201-7.2: Capping Monitoring Condition
- 4 40CFR 63.320(g)(1), Subpart M: Definition of major source
- 5 40CFR 63.322(b), Subpart M: Federal NESHAP -- perchloroethylene dry cleaning facilities. Standards for equipment installed after 09/22/93.
- 6 40CFR 63.322(b), Subpart M: Federal NESHAP -- major perchloroethylene dry cleaning facilities.
- 7 40CFR 63.322(c), Subpart M: Federal standards -- dry cleaning facilities that use perc.
- 8 40CFR 63.322(d), Subpart M: Federal standards -- dry cleaning facilities which use perc.
- 9 40CFR 63.322(e), Subpart M: Federal standards -- dry cleaning facilities which use perc. Standards for refrigerated condensers.
- 10 40CFR 63.322(f), Subpart M: Federal standards -- dry cleaning facilities which use perc. This condition is only applicable to washers (transfer systems).
- 11 40CFR 63.322(g), Subpart M: This condition is applicable for those facilities which use carbon adsorbers per Section 63.322(a) or (b).
- 12 40CFR 63.322(j), Subpart M: Standard for storing perc and perc-contaminated wastes.
- 13 40CFR 63.322(k), Subpart M: Federal standards for dry cleaning facilities which use perc -- system components which must be inspected weekly.
- 14 40CFR 63.323(d), Subpart M: Federal standards for dry cleaning facilities which use perc -- test methods and monitoring.
- 15 40CFR 63.324(d), Subpart M: Federal NESHAP for dry cleaning facilities which use perc -- reporting and record keeping requirements.

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 16 ECL 19-0301: Contaminant List
- 17 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 18 6 NYCRR Subpart 201-5: Emission Unit Definition
- 19 6 NYCRR 211.2: Air pollution prohibited
- 20 6 NYCRR 232.6 (b) (4): Equipment standards and specifications -- new co-located facilities (facilities that commence operation after May 15, 1997).
- 21 6 NYCRR 232.7 (g): Leak detection and self monitoring requirements -- equipment repair.
- 22 6 NYCRR 232.7 (h): Leak detection and self monitoring requirements -- fugitive emissions.
- 23 6 NYCRR 232.12: Recording and record keeping.
- 24 6 NYCRR 232.14: Dry cleaning owner/manager and operator training and certification.
- 25 6 NYCRR 232.16: Compliance inspections.



**Emission Unit Level**

26 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications,



required to operate such device effectively.

**Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2**

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Item E: Emergency Defense - 6 NYCRR 201-1.5**

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.



(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**Item F: Recycling and Salvage - 6 NYCRR 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8**

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item J: Required Emission Tests - 6 NYCRR 202-1.1**



An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

**Item K: Visible Emissions Limited - 6 NYCRR 211.3**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Item L: Open Fires - 6 NYCRR Part 215**

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**Item M: Permit Exclusion - ECL 19-0305**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

**Item N: Federally Enforceable Requirements - 40 CFR 70.6 (b)**

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable



requirements as being enforceable under only state regulations.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1: Facility Permissible Emissions**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.2**

**Item 1.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 000127-18-4                      PTE: 20,000 pounds per year  
Name: PERCHLOROETHYLENE

CAS No: 0NY100-00-0                      PTE: 20,000 pounds per year  
Name: HAP

**Condition 2: Capping Monitoring Condition**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.2**

**Item 2.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

**Item 2.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 2.3:**

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 2.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an

**New York State Department of Environmental Conservation**

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emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 2.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 2.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP

**Item 2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility annual individual HAP (hazardous air pollutant) emissions are capped at 20,000 lb per year for perchloroethylene.

The owner or operator of the facility shall keep monthly records of perc consumption and demonstrate that yearly perc consumption is less than 2100 gallons per year.

Parameter Monitored: HAP

Upper Permit Limit: 10 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

Subsequent reports are due every 12 calendar month(s).

**Condition 3: Capping Monitoring Condition**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR 201-7.2**

**Item 3.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

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6 NYCRR Subpart 201-6

**Item 3.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 3.3:**

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 3.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 3.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 3.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000127-18-4 PERCHLOROETHYLENE

**Item 3.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility annual PERCHLOROETHYLENE usage is capped at 2,100 gallons per year. The owner or operator of the facility shall keep monthly records of perc consumption and demonstrate that yearly perc consumption is less than 2100 gallons per year.

Parameter Monitored: PERCHLOROETHYLENE

Upper Permit Limit: 2100 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.



Subsequent reports are due every 12 calendar month(s).

**Condition 4: Definition of major source**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.320(g)(1), Subpart M**

**Item 4.1:**

A dry cleaning facility is a major source if the facility emits or has the potential to emit (PTE) more than 10 tons/year of perchloroethylene (perc) to the atmosphere. In lieu of measuring a facility's PTE for perc, a dry cleaning facility is a major source if it includes only dry-to-dry machine(s) and has a total yearly perc consumption greater than 8000 liters (2100 gallons) as determined according to §63.323(d).

**Condition 5: Federal NESHAP -- perchloroethylene dry cleaning facilities. Standards for equipment installed after 09/22/93.**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.322(b), Subpart M**

**Item 5.1:**

The air-perchloroethylene gas-vapor stream contained within each dry cleaning machine must be routed through a refrigerated condenser or an equivalent control device.

**Item 5.2:**

No perchloroethylene may be emitted during the transfer of articles between the washer and dryer(s).

**Condition 6: Federal NESHAP -- major perchloroethylene dry cleaning facilities.**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.322(b), Subpart M**

**Item 6.1:**

The air-perc gas-vapor stream from inside the dry cleaning machine drum must be passed through a carbon adsorber or equivalent control device immediately before or as the door of the dry cleaning machine is opened.

**Condition 7: Federal standards -- dry cleaning facilities that use perc.**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.322(c), Subpart M**

**Item 7.1:**

The owner or operator must close the door of each dry cleaning machine immediately after transferring articles to or from the machine, and must keep the door closed at all other times.

**Condition 8: Federal standards -- dry cleaning facilities which use perc.**



**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.322(d), Subpart M**

**Item 8.1:**

The owner or operator of each dry cleaning system must operate and maintain such systems in accordance with the manufacturer's specifications and recommendations.

**Condition 9: Federal standards -- dry cleaning facilities which use perc. Standards for refrigerated condensers.**

**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.322(e), Subpart M**

**Item 9.1:**

Refrigerated condensers must be operated such that the air-perc gas-vapor stream contained within the dry cleaning machine is not vented or otherwise released to the atmosphere while the dry cleaning machine drum is rotating.

**Item 9.2:**

Refrigerated condensers must be monitored pursuant to the requirements set forth in 40 CFR 63.323.

**Item 9.3:**

Refrigerated condensers must be operated with a diverter valve to prevent air drawn into the dry cleaning machine when the door is opened from passing through the refrigerated condenser.

**Condition 10: Federal standards -- dry cleaning facilities which use perc. This condition is only applicable to washers (transfer systems).**

**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.322(f), Subpart M**

**Item 10.1:**

The refrigerated condenser(s) must be operated such that the air-perc gas-vapor stream contained within the washer is not vented to the atmosphere until the door is opened.

**Item 10.2:**

The refrigerated condenser must be monitored pursuant to the requirements set forth in 40 CFR 63.323.

**Item 10.3:**

The refrigerated condenser coil for the washer must not be the same as the coil used for the dryer or a dry-to-dry system.

**Condition 11: This condition is applicable for those facilities which use carbon adsorbers per Section 63.322(a) or (b).**

**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.322(g), Subpart M**



**Item 11.1:**

Each carbon adsorber shall not be bypassed to vent or release any air-perc gas-vapor stream to the atmosphere at any time.

**Item 11.2:**

Each carbon adsorber shall be monitored pursuant to the requirements set forth in Section 63.323.

**Condition 12: Standard for storing perc and perc-contaminated wastes.  
Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.322(j), Subpart M**

**Item 12.1:**

The owner or operator must store all perc and perc-contaminated wastes in solvent tanks or solvent containers. No perceptible leaks from these containers are permitted.

**Condition 13: Federal standards for dry cleaning facilities which use  
perc -- system components which must be inspected weekly.  
Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.322(k), Subpart M**

**Item 13.1:**

The owner or operator of the facility must inspect the following components of the dry cleaning system weekly for perceptible liquid and vapor leaks while the dry cleaning system is in operation:

- (1) hose and pipe fittings, couplings, and valves;
- (2) door gaskets and seatings;
- (3) filter gaskets and seatings;
- (4) pumps;
- (5) solvent tanks and containers;
- (6) water separators;
- (7) muck cookers;
- (8) stills;
- (9) exhaust dampers;
- (10) diverter valves; and
- (11) cartridge filter housings.

**Condition 14: Federal standards for dry cleaning facilities which use  
perc -- test methods and monitoring.  
Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.323(d), Subpart M**

**Item 14.1:**

When calculating the yearly perc consumption for the purpose of demonstrating applicability according to Section 63.320, the owner or operator must perform the following calculation on the first day of every month:

Sum the volume of all perc purchases made in each of the previous twelve (12)



months as recorded in the purchase log that is kept pursuant to Section 63.324.

If no perc purchases were made in a given month, then the perc consumption for that month is zero gallons.

The sum calculated is the yearly perc consumption at the facility.

**Condition 15: Federal NESHAP for dry cleaning facilities which use perc  
-- reporting and record keeping requirements.  
Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.324(d), Subpart M**

**Item 15.1:**

Each owner or operator of a dry cleaning facility must keep receipts of perc purchases and a log of the following information and maintain such information on site and show it upon request for a period of five (5) years:

- (1) the volume of perc purchased each month by the dry cleaning facility as recorded from perc purchases; if no perc is purchased in a given month, then the owner or operator would enter zero gallons into the log;
- (2) the calculation and result of the yearly perc consumption determined on the first day of each month as specified in Section 63.323(d);
- (3) the dates when the dry cleaning system components are inspected for perceptible liquid or vapor leaks, as specified in Section 63.322(k) or (l), and the name or location of dry cleaning system components where perceptible leaks are detected;
- (4) the dates of repair and records of written or verbal orders for repair parts to demonstrate compliance with Sections 63.322(m) and (n);
- (5) the date and temperature sensor monitoring results, as specified in Section 63.323 if a refrigerated condenser is used to comply with Section 63.322(a) or (b); and
- (6) the date and colorimetric detector tube monitoring results. as specified in Section 63.323 if a carbon adsorber is used to comply with Section 63.322(a)(2) or (b)(3).



**STATE ONLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**  
**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

**Item B: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**



**Condition 16: Contaminant List**

**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable State Requirement:ECL 19-0301**

**Item 16.1:**

Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000127-18-4  
Name: PERCHLOROETHYLENE

CAS No: 0NY100-00-0  
Name: HAP

**Condition 17: Unavoidable noncompliance and violations**

**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 201-1.4**

**Item 17.1:**

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those



above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 18: Emission Unit Definition**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 18.1:**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: A-00001

Emission Unit Description:

THE FACILITY OPERATES FOUR (4) DRY-TO-DRY  
FOURTH GENERATION PERCHLOROETHYLENE DRY  
CLEANING MACHINES.

Building(s): 1

**Condition 19: Air pollution prohibited**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 19.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 20: Equipment standards and specifications -- new co-located facilities (facilities that commence operation after May 15, 1997).**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**



**Applicable State Requirement:6 NYCRR 232.6 (b) (4)**

**Item 20.1:**

New fourth generation equipment must be installed. Fourth generation equipment is defined as a dry cleaning machine equipped with a primary closed-loop refrigerated condenser with a drying sensor and an integral carbon adsorber (secondary control system).

**Item 20.2:**

All new fourth generation equipment must be equipped with a spill containment system that is designed to contain 125% of the capacity of the largest dry cleaning tank or vessel associated with the dry cleaning machine in the event of a release of perchloroethylene (perc).

**Item 20.3:**

(A) Refrigerated condensers must be designed and operated such that the outlet vapor temperature downstream of any bypass of the condenser is less than or equal to 45oF (7.2oC) during the final cool down cycle. The perc concentration in the drum must be less than or equal to 8600 parts per million (ppm) at the completion of the drying cycle.

(B) Refrigerated condensers must be equipped with a graduated thermometer, thermocouple, or equivalent instrument with a minimum range of 0oF (-18oC) to 150oF (66oC) to measure the temperature of the outlet vapor stream downstream of any bypass of the condenser. Such instrument must be easily visible to the operator.

(C) Refrigerated condensers on new fourth generation equipment must be equipped with a drying sensor/controller that is designed and operated to extend the drying time at least four minutes beyond the point that the solvent recovery rate is less than 40 ml/min or when the solvent vapor concentration in the drum is less than 8600 ppm.

(D) The refrigerated condenser must be equipped with a diverter valve.

**Item 20.4:**

The secondary control system must be:

1. designed to function with a primary control system (refrigerated condenser);
2. designed to reduce the perc concentration in the drum from 8600 ppm or greater to 300 ppm or less; and
3. designed for non-contact steam or hot air stripping operation, and must be stripped (desorbed) in accordance with the manufacturer's instructions or at least weekly, whichever is more stringent.

**Item 20.5:**

Fugitive perc emissions from any part of the dry cleaning system must not exceed 50 ppm at any time.

**Item 20.6:**

Perchloroethylene impermeable vapor barriers must be installed. Vapor barriers must:

1. enclose the dry cleaning equipment at a minimum;
2. be constructed of polyvinyl chloride (PVC) sheet 22 mil (0.022 inches) thick,



sheet metal, metal foil composite board, or other equivalent materials that are impermeable to perc vapors; and

3. be constructed such that all joints and seams are sealed except for inlet makeup air and exhaust openings and entry doors.

**Item 20.7:**

The vapor barrier enclosures shall be equipped with a general exhaust ventilation system that is completely separate from the ventilation system(s) serving the other areas of the building. The general ventilation system must:

1. be located near the dry cleaning machinery or connected to a separate room enclosure with a vapor barrier exhausting emissions to the outer air;

2. be operated at all times when the dry cleaning machine(s) is in operation and during maintenance operations; and

3. be capable of at least one air change every five minutes.

**Condition 21: Leak detection and self monitoring requirements -- equipment repair.**

**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 232.7 (g)**

**Item 21.1:**

Any liquid leak, vapor leak, or malfunction that is detected by the operator must be noted on the checklist, and if at all possible, repaired immediately.

If the leak cannot be repaired at the time of detection, then the leaking component must be physically marked or tagged in a manner that is readily observable by an inspector and must be repaired within 24 hours of detection unless repair parts are unavailable.

If repair parts are not available at the dry cleaning facility, then the parts must be ordered within two working days of detecting such a leak. Such repair parts must be installed within five working days after receipt.

Equipment with a leak that has not been repaired by the end of the 15th working day after detection must not be operated until the leak is repaired, unless the dry cleaning facility owner or operator receives a leak-repair extension from the New York State Department of Environmental Conservation.

Once a repair is completed, the completion date must be recorded on the checklist.

Where a hazard is imminent or has already occurred, remedial action must be taken immediately.

**Condition 22: Leak detection and self monitoring requirements -- fugitive emissions.**

**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 232.7 (h)**



**Item 22.1:**

A fugitive emission concentration of 50 ppm or greater of perc emanating from any part of the dry cleaning system is a violation except for short-term maintenance operations involving the opening of dry cleaning system components for inspection or repair.

**Condition 23: Recording and record keeping.**

**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 232.12**

**Item 23.1:**

Operators of all dry cleaning facilities or their designees must record the following:

- (1) the date, duration, and nature of any malfunction, spill, incident, or emergency response at the facility as outlined in 6 NYCRR Part 232.11;
- (2) the date of maintenance on any air cleaning component or exhaust system (such as the regeneration and/or replacement of the carbon in a carbon adsorber);
- (3) The number of loads between regeneration of the carbon in a carbon adsorber, cleaning and replacement of lint filters and carbon adsorber pre-filters, and repair or replacement of exhaust fans;
- (4) the amount of activated carbon in carbon adsorbers (dry weight in pounds);
- (5) the date of maintenance of drying sensors;
- (6) the date and volume of hazardous waste shipments; and
- (7) the dates when the carbon cartridge on the wastewater treatment unit was replaced.

**Item 23.2:**

Each owner or operator of a dry cleaning facility must keep receipts of perchloroethylene (perc) purchases, a log of the following information, maintain such information on site, and provide it upon request for a period of five years:

- (1) the volume of perc purchased each month by the dry cleaning facility as recorded from perc purchases (if no perc was purchased during a given month, the amount entered into the log would be zero); and
- (2) the owner must perform the following calculation on the first day of every month:
  - (i) sum the volume of all perc purchases made in each of the previous twelve months as recorded in the aforementioned log;
  - (ii) if no perc purchases were made in a given month, then the perc consumption for that month was zero;
  - (iii) the sum total calculated is the yearly perc consumption at the facility.

**Item 23.3:**

Each owner or operator of a dry cleaning facility must record the following information on an inspection checklist as described in 6 NYCRR Part 232.7:



(1) the dates when the dry cleaning system components are inspected for perceptible leaks and the name and location of dry cleaning system components where perceptible leaks were detected;

(2) the dates of repair and records of written or verbal orders for repair parts.

**Item 23.4:**

Each owner or operator of a dry cleaning facility must retain on site copies of the operation and maintenance checklists and compliance inspection reporting forms.

**Item 23.5:**

Each owner or operator of a dry cleaning facility must retain on site a copy of the design specifications and the operating manuals for each dry cleaning system and each emission control device located at the facility.

**Item 23.6:**

All records must be maintained on site for at least five years and must be made available to the New York State Department of Environmental Conservation upon written or verbal request.

**Condition 24: Dry cleaning owner/manager and operator training and certification.**

**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 232.14**

**Item 24.1:**

**Except for the conditions set forth in Item 24.3 below, it is unlawful for any person to operate a dry cleaning facility subject to 6 NYCRR Part 232 unless:**

(1) the facility manager and/or owner has a current and valid dry cleaning owner/manager certification; and

(2) the person operating the dry cleaning machine has a current and valid dry cleaning operator certification.

**Item 24.2:**

After the date of the first qualifying training program approved by the New York State Department of Environmental Conservation, the certifications referenced in Item 24.1 above must be obtained per the following schedule:

(1) for new facilities: upon start-up (unless the facility owner/manager can demonstrate that compliance with this requirement poses an unreasonable burden because of the unavailability of scheduled training courses or testing facilities);

(2) three months for existing facilities that are in mixed-use locations and that use transfer machines;

(3) six months for existing facilities that are in mixed-use locations and that use dry-to-dry vented machines but do not use transfer machines;

(4) nine months for all other existing facilities located in mixed-use locations;

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(5) twelve months for existing facilities located in stand-alone locations that use transfer machines;

(6) fifteen months for existing facilities located in stand-alone locations that use dry-to-dry vented machines but do not use transfer machines;

(7) eighteen months for all other existing stand-alone facilities.

**Item 24.3:**

The owner/manager is allowed to continue operation with a non-certified operator for a period not to exceed three days per occurrence in the event that an unforeseen/unpredictable situation occurs. Under no circumstances may an uncertified operator operate dry cleaning equipment at the facility for a total of more than ten days in any calendar year. If the facility would not be in conformance with the maintenance and leak detection requirements of 6 NYCRR Part 232 due to the use of a non-certified operator, then the facility must suspend dry cleaning operations until a certified operator is available. Vacations or other scheduled absences are not considered to be unforeseen or unpredictable situations.

**Condition 25: Compliance inspections.**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 232.16**

**Item 25.1:**

The facility must be inspected per the following schedule (at a minimum) by an inspector registered with the New York State Department of Environmental Conservation (NYSDEC) or by an individual working under the supervision of a registered inspector:

(1) Stand-alone facilities: annually

(2) Co-located facilities: (a) annually if only non-vented equipment is used  
(b) twice annually if any transfer or vented equipment is used

**Item 25.2:**

The facility must make available upon request the most recent completed inspection reporting form to interested individuals for review on the premises during normal business hours.

**Item 25.3:**

The facility must repair any leak or malfunction found by the inspector within the time frames set forth in 6 NYCRR Part 232.7 and must be reinspected within one month.

**Item 25.4:**

The first inspection is required within six months after the NYSDEC's certification program is available.

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 26: Process Definition By Emission Unit**  
**Effective between the dates of 01/14/2010 and Permit Expiration Date**



**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 26.1:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: A-00001

Process: 001

Source Classification Code: 4-01-001-01

Process Description:

Organic solvent evaporation in dry cleaning process using perchloroethylene.

Emission Source/Control: CARB1 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: CARB2 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: CARB3 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: CARB4 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: RFCD1 - Control

Control Type: REFRIGERATED CONDENSER

Emission Source/Control: RFCD2 - Control

Control Type: REFRIGERATED CONDENSER

Emission Source/Control: RFCD3 - Control

Control Type: REFRIGERATED CONDENSER

Emission Source/Control: RFCD4 - Control

Control Type: REFRIGERATED CONDENSER

Emission Source/Control: MACH1 - Process

Design Capacity: 75 pounds

Emission Source/Control: MACH2 - Process

Design Capacity: 80 pounds

Emission Source/Control: MACH3 - Process

Design Capacity: 80 pounds

Emission Source/Control: MACH4 - Process

Design Capacity: 80 pounds

