



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 2-6307-00006/00014  
Effective Date: 01/26/2012 Expiration Date: 01/25/2017

Permit Issued To: EPIC PHARMA LLC  
227-15 N CONDUIT AVE  
SPRINGFIELD GARDENS, NY 11413

Contact: MANOJ PATEL  
EPIC PHARMA LLC  
227-15 N CONDUIT AVE  
SPRINGFIELD GARDENS, NY 11413  
(718) 276-8600

Facility: EPIC PHARMA LLC  
227-15 N CONDUIT AVE  
LAURELTON, NY 11413

Contact: MANOJ PATEL  
EPIC PHARMA LLC  
227-15 N CONDUIT AVE  
SPRINGFIELD GARDENS, NY 11413  
(718) 276-8600

Description:  
EPIC PHARMA LLC operates a pharmaceutical formulation and preparation plant located in Laurelton, New York. The facility produces pharmaceutical tablets and capsules.

The air emission sources include oven drying and wet mixing (EU 1-OVNWM); film coating (EU 2-COATG); dry mixing, tablets compression and encapsulation (EU 3-DRYMH); seeds manufacturing (EU 4-SEEDS); and fluid bed granulation/drying (EU5-FLUID). Different materials required for a product are weighed in the Pharmacy Department. Some of these are then mixed together in the Mixing Department. Certain of the materials from the Mixing Department are dried and compressed into tablets or are filled into gelatin capsule shells. Some tablets are coated to make a smooth colored finish, and other are mixed to make time-release seeds which are then encapsulated.

The Title V permit is being renewed with an increase of Volatile organic Compounds (VOC) emissions of 2.45 tons per year on a 12-month rolling basis. With this increase the VOC emissions for the facility are capped to 37.45 tons per year on a twelve month rolling basis.

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 2630700006**



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 \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**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 to the Department for approval.



**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**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 exercise all available authority 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: 2-6307-00006/00014

Facility DEC ID: 2630700006



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

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

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227-15 N CONDUIT AVE  
SPRINGFIELD GARDENS, NY 11413

Facility: EPIC PHARMA LLC  
227-15 N CONDUIT AVE  
LAURELTON, NY 11413

Authorized Activity By Standard Industrial Classification Code:  
2834 - PHARMACEUTICAL PREPARATIONS  
6512 - NONRESIDENTIAL BUILDING OPERATORS

Permit Effective Date: 01/26/2012

Permit Expiration Date: 01/25/2017



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 40 CFR Part 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 22 6 NYCRR Subpart 201-6: Emission Unit Definition
- 23 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- \*24 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*25 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*26 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 27 6 NYCRR 211.1: Air pollution prohibited
- 28 6 NYCRR 212.9: Compliance Certification
- 29 6 NYCRR 212.9: Compliance Certification
- 30 6 NYCRR 233.1 (f): Pharmaceutical And Cosmetic Manufacturing Processes Applicability
- 31 6 NYCRR 233.3 (h): Compliance Certification

#### Emission Unit Level

#### EU=1-OVNWM

- 34 6 NYCRR 212.3 (b): Compliance Certification

#### EU=2-COATG

- 35 6 NYCRR 212.3 (b): Compliance Certification
- 36 6 NYCRR 228-1.8: Compliance Certification



**EU=3-DRYMH**

37 6 NYCRR 212.3 (b): Compliance Certification

**EU=4-SEEDS**

38 6 NYCRR 212.3 (b): Compliance Certification

**EU=5-FLUID**

39 6 NYCRR 212.3 (b): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

40 ECL 19-0301: Contaminant List

41 6 NYCRR 201-1.4: Unavoidable noncompliance and violations

42 6 NYCRR 211.2: Visible Emissions Limited

NOTE: \* preceding the condition number indicates capping.



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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**  
**The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.**

**Item A: 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 B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)**

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.



**Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.3 (a) (4)**

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Item D: Certification by a Responsible Official - 6 NYCRR 201-6.3 (d) (12)**

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**Item E: Requirement to Comply With All Conditions - 6 NYCRR 201-6.5 (a) (2)**

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.5 (a) (3)**

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5 (a) (5)**

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

**Item H: Property Rights - 6 NYCRR 201-6.5 (a) (6)**

This permit does not convey any property rights of any sort or any exclusive privilege.



**Item I: Severability - 6 NYCRR 201-6.5 (a) (9)**

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Item J: Permit Shield - 6 NYCRR 201-6.5 (g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

**Item K: Reopening for Cause - 6 NYCRR 201-6.5 (i)**

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is



three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

**Item L: 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 M: 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.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.**

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**  
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.

**Condition 2: Fees**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (7)**

**Item 2.1:**  
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 3: Recordkeeping and reporting of compliance monitoring**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (c)**

**Item 3.1:**



The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii) The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.3 of this Part 201.

**Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement: 6 NYCRR 201-6.5 (c) (2)**

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement: 6 NYCRR 201-6.5 (c) (3) (ii)**

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum



frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.
- (4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A



written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. 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. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.



Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement: 6 NYCRR 201-6.5 (e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

**New York State Department of Environmental Conservation**

Permit ID: 2-6307-00006/00014

Facility DEC ID: 2630700006



iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

Hunters Point Plaza  
47-40 21st Street  
Long Island City, NY 11101-5407

The address for the BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2013.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 7.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

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Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 202-2.5**

**Item 8.1:**

(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 9: Open Fires - Prohibitions**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 9.1:**

Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item 9.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a



religious ceremony.

(h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.

(i) Prescribed burns performed according to Part 194 of this Title.

(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.

(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.

(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.**

**[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]**

**Condition 10: Maintenance of Equipment**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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.

**Condition 11: Recycling and Salvage**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 11.1:**

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 the ECL.



**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 12.1:**

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.

**Condition 13: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)**

**Item 13.1:**

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 this Subpart. 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 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.

**Condition 14: Trivial Sources - Proof of Eligibility**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-3.3 (a)**

**Item 14.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 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.

**Condition 15: Standard Requirement - Provide Information**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (4)**

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee



may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (8)**

**Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Standard Requirements - Progress Reports**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (d) (5)**

**Item 17.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 18: Off Permit Changes**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (f) (6)**

**Item 18.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made





**Condition 21: Recycling and Emissions Reduction**  
Effective between the dates of 01/26/2012 and 01/25/2017

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 21.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 22: Emission Unit Definition**  
Effective between the dates of 01/26/2012 and 01/25/2017

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

**Item 22.1:**

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

Emission Unit: 1-OVNWMM

Emission Unit Description:

UNIT 1: OVENS/WET MIXING. CHEMICALS ARE MIXED AND BLENDED WITH ALCOHOL IN WET MIXERS IN THE MIXING DEPARTMENT (A SIZE 14 ROTOCONE IS USED TO CONTROL PARTICULATE EMISSIONS FROM WET MIXING AREA). THE MOIST BLEND IS REMOVED TO DRYING OVENS (OVENS 4, 5 AND 6) THAT ARE DUCTED TO A WET SCRUBBER FOR CERTAIN PRODUCT LINES TO CONTROL HCL EMISSIONS). MIXING/MILLING/TRAYING OF HCL PRODUCTS DUCTED TO WET SCRUBBER.

Building(s): MAIN

**Item 22.2:**

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

Emission Unit: 2-COATG

Emission Unit Description:

UNIT 2: TABLETS ARE COATED WITH A COLORED SURFACE COATING IN COATING MACHINES. ALL TABLET COATING PRODUCTS ARE WATER-BASED.

Building(s): MAIN

**Item 22.3:**

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

Emission Unit: 3-DRYMH

Emission Unit Description:



UNIT 3: POWDERED (DRY) INGREDIENTS ARE MIXED, GROUND, AND BLENDED IN MIXERS. UNIT ALSO INCLUDES TABLET COMPRESSION AND ENCAPSULATION OPERATIONS. PARTICULATE EMISSIONS ARE CONTROLLED BY 3 CYCLONES, 3 BAGHOUSES, AND 2 FABRIC COLLECTORS. FUGITIVE DUST EMISSIONS ARE NEGLIGIBLE SINCE THIS MANUFACTURING AREA OPERATES UNDER A SLIGHT NEGATIVE PRESSURE.

Building(s): MAIN

**Item 22.4:**

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

Emission Unit: 4-SEEDS

Emission Unit Description:

UNIT 4: NEUTRAL PELLETS ARE TUMBLED IN PANS WHILE OTHER INGREDIENTS ARE APPLIED WITH A SOLUTION. PARTICULATES EMISSIONS ARE CONTROLLED BY A ROTOCONE. FUGITIVE EMISSIONS ARE NEGLIGIBLE.

Building(s): MAIN

**Item 22.5:**

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

Emission Unit: 5-FLUID

Emission Unit Description:

UNIT 5: FLUID BED. FLUID BED USED TO MAKE AND DRY THE GRANULATION.

Building(s): MAIN

**Condition 23: Facility Permissible Emissions**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 23.1:**

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: 0NY100-00-0  
Name: HAP

PTE: 1,500 pounds per year

CAS No: 0NY998-00-0  
Name: VOC

PTE: 74,900 pounds per year

**Condition 24: Capping Monitoring Condition**

**Effective between the dates of 01/26/2012 and 01/25/2017**



**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 24.1:**

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 231-2

**Item 24.2:**

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

**Item 24.3:**

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 24.4:**

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 24.5:**

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 24.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC

**Item 24.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility has proposed to cap VOC emissions to 37.45 tons per year on a 12 month rolling basis to avoid New Source Review applicability.



Under the previously issued Air State Facility permit, EPIC PHARMA LLC was allowed to emit 24.9 tons VOC per year on a 12 month rolling basis. Under the initial Air Title V permit, EPIC PHARMA LLC proposed and received a net increase of VOC emissions of 10.1 tons per year on 12 month rolling basis.

VOCs are comprised primarily of isopropyl alcohol and ethanol. FDA Good manufacturing Practices regulation tightly restrict the type of chemicals used for cleaning and manufacturing in pharmaceutical operations.

Under this Title V renewal 1 permit application, the owner is proposing an additional increase of VOC emissions of 2.45 tons per year on a 12 moth rolling basis.

The owner shall maintain records of the VOC emission by material balance calculations monthly and submit such records to the Department semiannually:

Pounds of VOC purchased minus pounds of VOC inventory =  
Pounds of VOC emitted

The annual rolled monthly VOC emissions shall be submitted semiannually.

Parameter Monitored: VOC  
Upper Permit Limit: 37.45 tons per year  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2012.  
Subsequent reports are due every 6 calendar month(s).

**Condition 25: Capping Monitoring Condition**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 25.1:**  
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:

40 CFR Part 63, Subpart GGG

**Item 25.2:**  
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.



**Item 25.3:**

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 25.4:**

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 25.5:**

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 25.6:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 25.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Total HAP emissions are limited to 24.9 tons per year as long as there is no contravention of 6NYCRR requirements. For example the applicant is proposing to emit 1.35 pounds per hour and 1500 pounds per year hydrogen chloride after controls to comply with 6NYCRR part 212.

Purchase, consumption, inventory and emissions of each and total HAP(s) must be maintained at the facility for a period of 5 years, and made available to DEC upon request.

Each individual HAP should be identified and emissions shall be reported to DEC semiannually.

Individual HAP emissions shall be calculated by material balance:

Each Individual HAP purchased - Each Individual HAP Consumed - Each Individual HAP controlled = Each Individual HAP Emissions.

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At the present only one HAP, hydrogen chloride, has been reported by the facility.

If and when other HAP(s) are introduced at the facility, an application to modify this present permit must be submitted to DEC for compliance with Part 212.

Parameter Monitored: HAP

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

**DESCRIPTION**

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).

**Condition 26: Capping Monitoring Condition**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 26.1:**

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:

40 CFR Part 63, Subpart GGG

**Item 26.2:**

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

**Item 26.3:**

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 26.4:**

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 26.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement,

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for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 26.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Individual HAP emissions are limited to 9.9 tons per year as long as there is no contravention of 6NYCRR requirements. For example the applicant is proposing to emit 1.35 pounds per hour and 1500 pounds per year hydrogen chloride after controls to comply with 6NYCRR part 212.

Purchase, consumption, inventory and emissions of each and total HAP(s) must be maintained at the facility for a period of 5 years, and made available to DEC upon request.

Each individual HAP should be identified and emissions shall be reported to DEC semiannually.

Individual HAP emissions shall be calculated by material balance:

Each Individual HAP purchased - Each Individual HAP Consumed - Each Individual HAP controlled = Each Individual HAP Emissions.

At the present only one HAP, hydrogen chloride, has been reported by the facility.

If and when other HAP(s) are introduced at the facility, an application to modify this present permit must be submitted to DEC for compliance with Part 212.

Parameter Monitored: HAP

Upper Permit Limit: 9.9 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).



**Condition 27: Air pollution prohibited**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 27.1:**

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 28: Compliance Certification**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 212.9**

**Item 28.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 1-OVNWM                      Emission Point: 00110

Regulated Contaminant(s):  
CAS No: 007647-01-0                      HYDROGEN CHLORIDE

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

For this contaminant, the degree of air cleaning required depends on the assigned Environmental Rating and the Emission Rate Potential (ERP).

The Environmental Rating assigned to this contaminant, with an ERP of 40.63 pounds per hour as reported in the June 8, 2005, and revised to 27.08 pounds per hour in the August 23, 2005 correspondences from Bodnar Environmental to NYS Department of Environmental Conservation Division of Environmental Permits, and Table 1 of 6NYCRR Part 212.9, is "A".

According to Table 2 of 6NYCRR Part 212.9, the degree of air cleaning required is 99% or greater or BACT.

For this "A" rated contaminant, the removal efficiency shall be determined by testing for HCl at the inlet and outlet of the air pollution control device, in this case a

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scrubber, utilizing DEC acceptable procedures.

Test protocol and testing shall be conducted in accordance to Part 202-1.

In the August 23, 2005 correspondences from Bodnar Environmental to NYS Department of Environmental Conservation Division of Environmental Permits, the PTE reported is 1.35 pounds per hour and 1500 pounds per year.

The HCL emissions from this facility is limited to 1.35 pounds per hour and 1500 pounds per year on a 12 month rolling period.

Manufacturer Name/Model Number: Met Pro Corporation, Model PT506-1086 - Scrubber

Parameter Monitored: HYDROGEN CHLORIDE

Upper Permit Limit: 1.35 pounds per hour

Reference Test Method: EPA Methods

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 29: Compliance Certification**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 212.9**

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007647-01-0 HYDROGEN CHLORIDE

**Item 29.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

For this contaminant, the degree of air cleaning required depends on the assigned Environmental Rating and the Emission Rate Potential (ERP).

The Environmental Rating assigned to this contaminant, with an ERP of 40.63 pounds per hour as reported in the June 8, 2005, and revised to 27.08 pounds per hour in the August 23, 2005 correspondences from Bodnar Environmental to NYS Department of Environmental Conservation Division of Environmental Permits, and Table 1 of 6NYCRR Part 212.9, is "A".

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According to Table 2 of 6NYCRR Part 212.9, the degree of air cleaning required is 99% or greater or BACT.

For this "A" rated contaminant, the removal efficiency shall be determined by testing for HCl at the inlet and outlet of the air pollution control device, in this case a scrubber, utilizing DEC acceptable procedures.

Test protocol and testing shall be conducted in accordance to Part 202-1.

In the August 23, 2005 correspondences from Bodnar Environmental to NYS Department of Environmental Conservation Division of Environmental Permits, the PTE reported is 1.35 pounds per hour and 1500 pounds per year.

The HCL emissions from this facility is limited to 1.35 pounds per hour and 1500 pounds per year on a 12 month rolling period.

Hydrogen Chloride emissions shall be calculated as follows:

Hydrogen Chloride emissions = Hydrogen Chloride purchased  
- Hydrogen Chloride consumed - Hydrogen Chloride controlled.

Manufacturer Name/Model Number: Met Pro Corporation, Model PT506-1086 - Scrubber

Parameter Monitored: HYDROGEN CHLORIDE

Upper Permit Limit: 1500 pounds per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).

**Condition 30: Pharmaceutical And Cosmetic Manufacturing Processes**

**Applicability**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 233.1 (f)**

**Item 30.1:**

Any process that is subject to the provisions of this Part will remain subject to these provisions even if the emissions of volatile organic compounds from the facility later fall below the applicability criteria.

**Condition 31: Compliance Certification**



Effective between the dates of 01/26/2012 and 01/25/2017

Applicable Federal Requirement: 6 NYCRR 233.3 (h)

**Item 31.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC

**Item 31.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

A variance request is made by the applicant and is pending EPA's approval to install air pollution control equipment to control volatile organic compounds in the pharmaceutical manufacturing processes due to technical and economic reasons.

According to Part 233.1(f) any process that is subject to the provisions of this part will remain subject to these provisions even if the emissions of volatile organic compounds from the facility later fall below the applicability criteria.

The owner shall maintain records for 5 years and submit records to the Department semiannually of the VOC emissions by material balance calculations monthly:

Pounds of VOC purchased minus pounds of VOC Inventory =  
Pounds of VOC emitted

The annual rolled monthly VOC emissions shall be submitted to DEC semiannually.

Parameter Monitored: VOC

Upper Permit Limit: 37.45 tons per year

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL  
CHANGE

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).

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



**Condition 32: Emission Point Definition By Emission Unit**  
Effective between the dates of 01/26/2012 and 01/25/2017

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

**Item 32.1:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-OVNWM

Emission Point: 00001	Height (ft.): 30	Diameter (in.): 14	
	NYTMN (km.): 4502.5	NYTME (km.): 605.8	Building: MAIN
Emission Point: 00103	Height (ft.): 22	Diameter (in.): 12	
	NYTMN (km.): 4502.5	NYTME (km.): 605.8	Building: MAIN
Emission Point: 00104	Height (ft.): 25	Diameter (in.): 16	
	NYTMN (km.): 4502.5	NYTME (km.): 605.8	Building: MAIN
Emission Point: 00105	Height (ft.): 25	Diameter (in.): 16	
	NYTMN (km.): 4502.5	NYTME (km.): 605.8	Building: MAIN
Emission Point: 00106	Height (ft.): 25	Diameter (in.): 16	
	NYTMN (km.): 4502.5	NYTME (km.): 605.8	Building: MAIN
Emission Point: 00110	Height (ft.): 25	Diameter (in.): 36	
	NYTMN (km.): 4502.5	NYTME (km.): 605.8	Building: MAIN

**Item 32.2:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 2-COATG

Emission Point: 00006	Height (ft.): 26	Diameter (in.): 12	
	NYTMN (km.): 4502.5	NYTME (km.): 605.8	Building: MAIN
Emission Point: 00007	Height (ft.): 26	Diameter (in.): 12	
	NYTMN (km.): 4502.5	NYTME (km.): 605.8	Building: MAIN

**Item 32.3:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 3-DRYMH



Emission Point: 00013  
Height (ft.): 5 Diameter (in.): 16  
NYTMN (km.): 4502.5 NYTME (km.): 605.8 Building: MAIN

Emission Point: 00014  
Height (ft.): 10 Length (in.): 23 Width (in.): 28  
NYTMN (km.): 4502.5 NYTME (km.): 605.8 Building: MAIN

Emission Point: 00015  
Height (ft.): 2 Diameter (in.): 2  
NYTMN (km.): 4502.5 NYTME (km.): 605.8 Building: MAIN

Emission Point: 00016  
Height (ft.): 26 Length (in.): 30 Width (in.): 30  
NYTMN (km.): 4502.5 NYTME (km.): 605.8 Building: MAIN

Emission Point: 00017  
Height (ft.): 27 Length (in.): 30 Width (in.): 30  
NYTMN (km.): 4502.5 NYTME (km.): 605.8 Building: MAIN

**Item 32.4:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 4-SEEDS

Emission Point: 00010  
Height (ft.): 22 Diameter (in.): 18  
NYTMN (km.): 4502.5 NYTME (km.): 605.8 Building: MAIN

**Item 32.5:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 5-FLUID

Emission Point: 00020  
Height (ft.): 25 Diameter (in.): 8  
NYTMN (km.): 4502.5 NYTME (km.): 605.8 Building: MAIN

**Condition 33: Process Definition By Emission Unit**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

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

**Item 33.1:**

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

Emission Unit: 1-OVNWM  
Process: OVN Source Classification Code: 3-01-060-99  
Process Description:  
OVEN DRYING: FOLLOWING WET MIXING,  
PRODUCT IS DRIED IN ONE OF THE STEAM-HEATED

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OVENS. PRODUCTS CONTAINING HCl ARE DRIED  
IN OVEN 4, 5, OR 6 AND EMISSIONS ARE DUCTED  
TO THE WET SCRUBBER.

Emission Source/Control: CD110 - Control  
Control Type: WET SCRUBBER

Emission Source/Control: 1OVEN - Process

Emission Source/Control: 2OVEN - Process

Emission Source/Control: 3OVEN - Process

Emission Source/Control: 4OVEN - Process

Emission Source/Control: 5OVEN - Process

Emission Source/Control: 6OVEN - Process

Emission Source/Control: HCLMX - Process

**Item 33.2:**

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

Emission Unit: 1-OVNWM  
Process: WMG Source Classification Code: 3-01-060-99  
Process Description:  
WET MIXING: ALCOHOLS ARE MIXED WITH  
POWDERED MATERIALS IN THE MIXING  
DEPARTMENT.

Emission Source/Control: CD001 - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: 00WM1 - Process

Emission Source/Control: 00WM2 - Process

Emission Source/Control: 00WM3 - Process

Emission Source/Control: 00WM4 - Process

Emission Source/Control: 00WM5 - Process

Emission Source/Control: 00WM6 - Process

**Item 33.3:**

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

Emission Unit: 2-COATG  
Process: CTG Source Classification Code: 3-01-060-11  
Process Description:





Emission Unit: 3-DRYMH  
Process: ECN Source Classification Code: 3-01-060-99  
Process Description:  
ENCAPSULATION: CAPSULES ARE FILLED WITH  
PREPARED INGREDIENTS FROM THE GRANULATION  
OR SEED DEPARTMENT.

Emission Source/Control: CDC13 - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: CDC14 - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: CDC15 - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: OBH13 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: OBH14 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: OBH15 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: ENCAP - Process

**Item 33.6:**

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

Emission Unit: 3-DRYMH  
Process: TCP Source Classification Code: 3-01-060-99  
Process Description:  
TABLET COMPRESSION: POWDERED INGREDIENTS  
ARE COMPRESSED INTO TABLETS.

Emission Source/Control: CDC13 - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: CDC14 - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: CDC15 - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: OBH13 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: OBH14 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: ODC16 - Control



Control Type: FABRIC FILTER

Emission Source/Control: ENCAP - Process

Emission Source/Control: TCOMP - Process

**Item 33.7:**

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

Emission Unit: 4-SEEDS

Process: SDS

Source Classification Code: 3-01-060-99

Process Description:

SEEDS MANUFACTURE: NEUTRAL PELLETS ARE  
TUMBLED IN PANS WHILE INGREDIENTS ARE  
APPLIED TO CREATE MULTIPLE LAYERS.  
PARTICULATE EMISSIONS ARE CONTROLLED BY A  
ROTOCLONE (SIZE 20).

Emission Source/Control: CDO10 - Control

Control Type: CENTRIFUGAL

Emission Source/Control: OPANS - Process

**Item 33.8:**

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

Emission Unit: 5-FLUID

Process: FLD

Source Classification Code: 3-01-060-99

Process Description:

POWDERS ARE SUSPENDED IN A FILTERED AIR  
STREAM AND GRANULATED OR DRIED.

Emission Source/Control: CD020 - Control

Control Type: HIGH EFFICIENCY PARTICULATE AIR FILTER

Emission Source/Control: FLBED - Process

**Condition 34: Compliance Certification**

Effective between the dates of 01/26/2012 and 01/25/2017

Applicable Federal Requirement: 6 NYCRR 212.3 (b)

**Item 34.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-OVNWM

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 34.2:**

Compliance Certification shall include the following monitoring:

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Permit ID: 2-6307-00006/00014

Facility DEC ID: 2630700006



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.15 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.15 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).

**Condition 35: Compliance Certification**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement: 6 NYCRR 212.3 (b)**

**Item 35.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 2-COATG

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.15 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.15 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

**New York State Department of Environmental Conservation**

Permit ID: 2-6307-00006/00014

Facility DEC ID: 2630700006



Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).

**Condition 36: Compliance Certification**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 228-1.8**

**Item 36.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 2-COATG

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The maximum permitted pounds of VOC per gallon (minus  
water and excluded VOC) of coating at application, for  
pharmaceutical tablet coating lines is 5.5

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COATING LINES

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 5.5 pounds per gallon

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL  
CHANGE

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).

**Condition 37: Compliance Certification**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 212.3 (b)**

**Item 37.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 3-DRYMH

Regulated Contaminant(s):



CAS No: 0NY075-00-0 PARTICULATES

**Item 37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.15 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.15 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).

**Condition 38: Compliance Certification**

**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement: 6 NYCRR 212.3 (b)**

**Item 38.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 4-SEEDS

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.15 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.15 grains per dscf

Reference Test Method: EPA Method 5

New York State Department of Environmental Conservation

Permit ID: 2-6307-00006/00014

Facility DEC ID: 2630700006



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).

**Condition 39: Compliance Certification**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable Federal Requirement:6 NYCRR 212.3 (b)**

**Item 39.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 5-FLUID

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.15 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.15 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

Subsequent reports are due every 6 calendar month(s).



**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: 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 applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 40: Contaminant List**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

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

**Item 40.1:**  
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 007647-01-0  
Name: HYDROGEN CHLORIDE



CAS No: 0NY075-00-0  
Name: PARTICULATES

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

CAS No: 0NY998-00-0  
Name: VOC

**Condition 41: Unavoidable noncompliance and violations**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

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

**Item 41.1:**

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

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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 42: Visible Emissions Limited**  
**Effective between the dates of 01/26/2012 and 01/25/2017**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 42.1:**

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.

