



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 4-0103-00057/00002  
Effective Date: 06/23/2011                      Expiration Date: No expiration date

Permit Issued To: SHELTER ENTERPRISES INC  
8 SARATOGA ST  
PO BOX 618  
COHOES, NY 12047

Contact: JEFFOREY MYERS  
PO BOX 608  
COHOES, NY 12047-0608

Facility: SHELTER ENTERPRISES INC  
8 SARATOGA ST  
COHOES, NY 12047

Description:  
Application for a state facility permit to operate an existing expanded polystyrene foam plastics manufacturing facility. An emission control system is being installed to keep annual VOC emissions below 50 tons, the Title V facility threshold.

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: MICHAEL T HIGGINS  
DIVISION OF ENVIRONMENTAL PERMITS  
1130 N WESTCOTT RD  
SCHENECTADY, NY 12306-2014

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 4 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 4 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 4 Headquarters  
Division of Environmental Permits  
1130 North Westcott Rd.  
Schenectady, NY 12306-2014  
(518) 357-2069

**New York State Department of Environmental Conservation**

**Permit ID: 4-0103-00057/00002**

**Facility DEC ID: 4010300057**



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

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

**PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: SHELTER ENTERPRISES INC  
8 SARATOGA ST  
PO BOX 618  
COHOES, NY 12047

Facility: SHELTER ENTERPRISES INC  
8 SARATOGA ST  
COHOES, NY 12047

Authorized Activity By Standard Industrial Classification Code:  
2452 - PREFABRICATED WOOD BUILDINGS  
3086 - PLASTICS FOAM PRODUCTS

Permit Effective Date: 06/23/2011  
date.

Permit Expiration Date: No expiration



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- \*2 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 3 6 NYCRR 212.10 (e): RACT Applicability for Major Facilities
- 4 6 NYCRR 212.11: Compliance Demonstration
- 5 6 NYCRR 212.11: Compliance Demonstration
- 6 6 NYCRR 212.11 (b) (1): Compliance Demonstration

#### Emission Unit Level

- 7 6 NYCRR Subpart 201-7: Emission Unit Permissible Emissions
- 8 6 NYCRR Subpart 201-7: Process Permissible Emissions

#### EU=A-00001

- 9 6 NYCRR 212.4 (a): Compliance Demonstration
- 10 6 NYCRR 212.4 (c): Compliance Demonstration
- 11 6 NYCRR 212.6 (a): Compliance Demonstration
- 12 6 NYCRR 212.10: 212.10 (c)(4)(i) - RACT for major facilities of VOCs.
- 13 6 NYCRR 212.10 (a) (2): Applicability - located outside Lower Orange County and NYC Metro

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 14 ECL 19-0301: Contaminant List
- 15 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 16 6 NYCRR Subpart 201-5: Emission Unit Definition
- 17 6 NYCRR 211.2: Visible Emissions Limited

#### Emission Unit Level

- 18 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 19 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**

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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 Prohibitions - 6 NYCRR 215.2**

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**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 06/23/2011 and Permit Expiration Date**

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

**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: 0NY998-00-0

PTE: 99,000 pounds per year

Name: VOC

**Condition 2: Capping Monitoring Condition**  
**Effective between the dates of 06/23/2011 and Permit Expiration Date**

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

**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 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

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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: 0NY998-00-0      VOC

**Item 2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The total facility VOC emissions shall be less than 50  
tons per year to remain out of Title V permitting  
requirements.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: VOC's

Parameter Monitored: VOC

Upper Permit Limit: 50 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 1/30/2012.

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

**Condition 3:      RACT Applicability for Major Facilities**

**Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.10 (e)**

**Item 3.1:**

All process sources applicable to 6 NYCRR Part 212.10 after May 31, 1995 will remain subject to all provisions of that section even if the facility's annual potential to emit of nitrogen oxides or volatile organic emissions falls below the applicability thresholds.

**Condition 4:      Compliance Demonstration**

**Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.11**

**Item 4.1:**

The Compliance Demonstration activity will be performed for the facility:

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The Compliance Demonstration applies to:

Emission Unit: A-00001

Process: 001

Emission Source: EXPAN

Emission Unit: A-00001

Process: 001

Emission Source: MOLDI

Emission Unit: A-00001

Process: 001

Emission Source: PUFFA

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

A performance test shall be performed on the polyethylene foam production area pursuant to EPA Method 204. The static pressure within the production area shall be at least -0.007" of H<sub>2</sub>O.

Parameter Monitored: PRESSURE

Lower Permit Limit: -0.007 inches of water

Reference Test Method: Method 204

Monitoring Frequency: CONTINUOUS

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED

VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 5: Compliance Demonstration**

**Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR 212.11**

**Item 5.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: A-00001

Process: 001

Emission Source: EXPAN

Emission Unit: A-00001

Process: 001

Emission Source: MOLDI

Emission Unit: A-00001

Process: 001

Emission Source: PUFFA

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

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**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

An intermittent emission test shall be performed once every five years on the regenerative thermal oxidizer (RTO). This test shall verify manufacturer's guarantee for VOC (Volatile Organic Compound) 95% destruction efficiency and ensure compliance with caps taken at the facility. The facility shall conduct the stack test 180 days from the initial start up of the RTO. The facility shall submit an initial notification to the department upon start up of the RTO.

The stack test protocol and results shall be submitted in accordance with 6 NYCRR 202-1.

The methods of testing shall be done in accordance with 40 CFR 60 Appendix A. Results of the testing will also determine the minimum operating temperature of the RTO to ensure 95% destruction efficiency.

Parameter Monitored: VOC

Lower Permit Limit: 95 percent

Reference Test Method: Method 25A (or other NYSDEC approved method)

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

**Condition 6: Compliance Demonstration**

**Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR 212.11 (b) (1)**

**Item 6.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: A-00001

Process: 001

Emission Source: OXIDI

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

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

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**Monitoring Description:**

The thermal oxidizer will be operated to maintain a minimum destruction removal efficiency of 95%. The oxidation chamber temperature will be monitored and maintained at a temperature of no less than 1350 degrees Fahrenheit. The bed temperature will not fall below 1350 degrees Fahrenheit except during startup and shutdown.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1350 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 7: Emission Unit Permissible Emissions**  
**Effective between the dates of 06/23/2011 and Permit Expiration Date**

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

**Item 7.1:**

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: A-00001

CAS No: 0NY998-00-0

Name: VOC

PTE(s): 25.3 pounds per hour

99,000 pounds per year

**Condition 8: Process Permissible Emissions**  
**Effective between the dates of 06/23/2011 and Permit Expiration Date**

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

**Item 8.1:**

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: A-00001

Process: 001

CAS No: 0NY998-00-0

Name: VOC

PTE(s): 25.3 pounds per hour

99,000 pounds per year



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**Condition 9: Compliance Demonstration**  
**Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR 212.4 (a)**

**Item 9.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 10: Compliance Demonstration**  
**Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR 212.4 (c)**

**Item 10.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In the instances where determination of permissible emission rate using process weight is not applicable (see Table 5) and for an environmental rating of B or C, emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

The applicable testing shall be determined and submitted for review.

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The compliance testing will be conducted at the discretion of the Department and, within acceptable time frame to valid monitoring or limiting requirements.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA Method 5

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 11: Compliance Demonstration**

**Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR 212.6 (a)**

**Item 11.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Boilers which fire multiple fuels (in New York City, Nassau, Rockland, Suffolk, and Westchester counties) shall maintain a record of the quantity of each fuel fired.

Also, the owner or operator shall calculate (based on the fuel quantities) using the following formula:

$$R(0.075) + D(0.02) + G(100) + E(0.44) + N(3400) < 50,000$$
  
lbs/yr of Oxides of Nitrogen emissions.

Where: R = 12-month rolling total of residual oil fired (from boilers) in gals/yr

D = 12-month rolling total of distillate oil fired (from boilers) in gals/yr

G = 12-month rolling total of natural gas fired (from boilers) in MMSCF/yr

E = 12-month rolling total of diesel fuel fired (from engines) in gals/yr

N = 12-month rolling total of natural gas fired (from engines) in MMSCF/yr

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: DUAL FUEL (NATURAL GAS AND OIL BURNED SIMULTANEOUSLY)

Upper Permit Limit: 49800 pounds per hour

Monitoring Frequency: ANNUALLY

Averaging Method: ANNUAL MINIMUM ROLLED MONTHLY

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Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

**Condition 12: 212.10 (c)(4)(i) - RACT for major facilities of VOCs.  
Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.10**

**Item 12.1:**

This Condition applies to Emission Unit: A-00001

**Item 12.2:**

Volatile organic compound emission points which are equipped with a capture system and a control device with an overall removal efficiency of at least 81% are equipped with reasonably available control technology.

**Condition 13: Applicability - located outside Lower Orange County and  
NYC Metro  
Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.10 (a) (2)**

**Item 13.1:**

This Condition applies to Emission Unit: A-00001

**Item 13.2:**

**Owners and/or operators of facilities located outside of the lower Orange County and New York City metropolitan areas with an annual potential to emit of 100 tons or more of nitrogen oxides or 50 tons or more of volatile organic compounds must comply with the requirements of section 212.10-Reasonably Available Control Technology for major facilities.**



**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.**

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**Condition 14: Contaminant List**

**Effective between the dates of 06/23/2011 and Permit Expiration Date**

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

**Item 14.1:**

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

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY998-00-0

Name: VOC

**Condition 15: Unavoidable noncompliance and violations**

**Effective between the dates of 06/23/2011 and Permit Expiration Date**

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

**Item 15.1:**

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

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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 16: Emission Unit Definition**

**Effective between the dates of 06/23/2011 and Permit Expiration Date**

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

**Item 16.1:**

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

Emission Unit: A-00001

Emission Unit Description:

Operation of an expanded polystyrene foam molding process line. The process essentially takes place in three steps consisting of Expansion, Prepuff, Aging and Molding. An emission control system will be installed to capture and control emissions of pentane from production equipment involved in these three steps of the process. 6mm Btu/hr boiler is exempt.

Building(s): M

**Condition 17: Visible Emissions Limited**

**Effective between the dates of 06/23/2011 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 17.1:**

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.

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

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**Condition 18: Emission Point Definition By Emission Unit**  
**Effective between the dates of 06/23/2011 and Permit Expiration Date**

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

**Item 18.1:**

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

Emission Unit: A-00001

Emission Point: 00001

Height (ft.): 30

Diameter (in.): 6

NYTMN (km.): 4736.862 NYTME (km.): 606.549

Emission Point: 00002

Height (ft.): 21

Diameter (in.): 14

NYTMN (km.): 4736.862 NYTME (km.): 606.549

**Condition 19: Process Definition By Emission Unit**  
**Effective between the dates of 06/23/2011 and Permit Expiration Date**

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

**Item 19.1:**

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

Emission Unit: A-00001

Process: 001

Process Description:

Operation of an expanded polystyrene foam production line. Starting with polystyrene plastic beads that are fed into an expander where the bead is heated with steam and expand to the density required by the final foam product. The expanded beads or prepuff are then aged for 8-24 hours in 10 mesh storage bags to stabilize them prior to molding. The prepuff particles are then fed into a mold where the particles are fused together with steam into a block shaped product. Foam blocks are then cut into various dimensions for packaging and insulation materials using a heated wire cutting machine.

Emission Source/Control: OXIDI - Control

Control Type: THERMAL OXIDATION

Emission Source/Control: EXPAN - Process

Emission Source/Control: MOLDI - Process

Emission Source/Control: PUFFA - Process

Emission Source/Control: STORA - Process

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