



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 6-2126-00057/00007  
Mod 0 Effective Date: 12/27/2005 Expiration Date: 12/26/2015  
Mod 1 Effective Date: 07/15/2014 Expiration Date: 12/26/2015

Permit Issued To: MAPLEHURST BAKERIES LLC  
178 INDUSTRIAL PARK DR  
FRANKFORT, NY 13340

Facility: GRANNYS KITCHENS LLC  
178 INDUSTRIAL PARK DR  
FRANKFORT, NY 13340

Contact: TY TUCKER  
MAPLEHURST BAKERIES DBA GRANNY'S KITCHEN  
178 INDUSTRIAL DR  
FRANKFORT, NY 13340  
(315) 735-5000

Description:

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: TERRY R TYOE  
NYSDEC - UTICA SUBOFFICE  
207 GENESEE ST  
UTICA, NY 13501-2885

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
  - Applications for Permit Renewals and Modifications
  - Permit modifications, suspensions or revocations by the Department
  - Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

- Submission of Applications for Permit Modification or Renewal
  - REGION 6 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 6 SUBOFFICE - UTICA



**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 1-1: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 1-1.1:**

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 1-1.2:**

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 1-1.3:**

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.



**Condition 3: Applications for Permit Renewals and Modifications**

**Applicable State Requirement: 6 NYCRR 621.13**

**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.

**Condition 1-2: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-2.1:**

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.

**Condition 4: Permit Modifications, Suspensions and Revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.14**

**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.

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

**Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 6 HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.5 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 6 Headquarters  
Division of Environmental Permits  
State Office Building, 317 Washington Street  
Watertown, NY 13601-3787  
(315) 785-2245

**Condition 1-3: Submission of application for permit modification or renewal-REGION 6**

**SUBOFFICE - UTICA**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 1-3.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 6 Sub-office  
Division of Environmental Permits  
State Office Building, 207 Genesee Street  
Utica, NY 13501-2885  
(315) 793-2555

**New York State Department of Environmental Conservation**

Permit ID: 6-2126-00057/00007

Facility DEC ID: 6212600057



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: MAPLEHURST BAKERIES LLC  
178 INDUSTRIAL PARK DR  
FRANKFORT, NY 13340

Facility: GRANNYS KITCHENS LLC  
178 INDUSTRIAL PARK DR  
FRANKFORT, NY 13340

Authorized Activity By Standard Industrial Classification Code:  
2051 - BREAD CAKE AND RELATED PRODUCT

Mod 0 Permit Effective Date: 12/27/2005

Permit Expiration Date: 12/26/2015

Mod 1 Permit Effective Date: 07/15/2014

Permit Expiration Date: 12/26/2015



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 6 NYCRR 201-3.2 (b): Exempt Activities - Maintenance of Control Equipment
- 2 6 NYCRR 201-3.3 (b): Trivial Activities - Maintenance of Control Equipment
- 1-1 6 NYCRR 211.1: Air pollution prohibited
- 1-2 6 NYCRR 211.1: Compliance Demonstration
- 1-3 6 NYCRR 212.3 (b): Compliance Demonstration
- 1-4 6 NYCRR 212.3 (b): Compliance Demonstration
- 1-5 6 NYCRR 212.6 (a): Compliance Demonstration
- 1-6 6 NYCRR 212.6 (a): Compliance Demonstration
- 4 6 NYCRR Part 226: Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 6 ECL 19-0301: Contaminant List
- 1-7 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 7 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 8 6 NYCRR Subpart 201-5: Emission Unit Definition
- 1-8 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 1-9 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 1-10 6 NYCRR 211.2: Visible Emissions Limited
- 1-11 6 NYCRR 211.2: Compliance Demonstration

**Emission Unit Level**

- 10 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 11 6 NYCRR Subpart 201-5: Process Definition By Emission Unit



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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

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

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

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

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



required to operate such device effectively.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

**Item K: 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 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.

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

**Condition 1: Exempt Activities - Maintenance of Control Equipment**



**Effective between the dates of 12/27/2005 and 12/26/2015**

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

**Item 1.1:**

Owner of any emission source or unit that is listed as eligible to be exempt in 6 NYCRR Part 201-3.2(c), on the basis of the use of appropriate emission control device shall operate and maintain such device in a manner consistent with good engineering practices.

**Condition 2: Trivial Activities - Maintenance of Control Equipment  
Effective between the dates of 12/27/2005 and 12/26/2015**

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

**Item 2.1:**

The owner and /or operator of any emission source or unit that is listed as eligible to be exempt in 6 NYCRR Part 201-3.3(c), on the basis of the use of appropriate emission control device shall operate and maintain such device in a manner consistent with good engineering practices.

**Condition 1-1: Air pollution prohibited  
Effective between the dates of 07/15/2014 and 12/26/2015**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 1-1.1:**

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 1-2: Compliance Demonstration  
Effective between the dates of 07/15/2014 and 12/26/2015**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 1-2.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility shall establish a complaint response procedure to manage complaints related to air emissions from this facility. The procedure shall be designed to ensure that complaints from officials or neighbors are adequately received and documented, and that appropriate response is taken by the facility. The facility shall:



1. Have a complaint phone line available 24 hours a day, 7 days a week.
2. Investigate any possible causes of any complaint received.
3. Take prompt action to abate any circumstance which is found to be the cause of the complaint.
4. Fully document the complaint, results of investigation, and any action taken.
5. Report in a format acceptable to the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

**Condition 1-3: Compliance Demonstration**  
**Effective between the dates of 07/15/2014 and 12/26/2015**

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

**Item 1-3.1:**

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

Emission Unit: E-00001	Emission Point: 00F11
Emission Unit: E-00001	Emission Point: 00F12
Emission Unit: E-00001	Emission Point: 00F21
Emission Unit: E-00001	Emission Point: 00F22
Emission Unit: E-00001	Emission Point: 00F31
Emission Unit: E-00001	Emission Point: 00F32
Emission Unit: E-00001	Emission Point: 00F41
Emission Unit: E-00001	Emission Point: 00F42

Regulated Contaminant(s):  
CAS No: 0NY075-00-0 PARTICULATES

**Item 1-3.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The emission of solid particulates is limited to less

**New York State Department of Environmental Conservation**

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than 0.15 grains of particulate per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing (stack testing) shall be conducted at the discretion of the Department.

Facility shall attest to this particulate limitation by observing the density of the exhaust from each of the eight emission points; this assessment shall be performed once per week and while the bakery is operating. These weekly observations shall be quantified and then recorded in a log book. See the permit Condition for 6 NYCRR 212.6(a).

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.15 grains per dscf

Reference Test Method: EPA Reference Method 5 if requested by NYSDEC

Monitoring Frequency: WEEKLY

Averaging Method: Arithmetic average of stack test runs

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-4: Compliance Demonstration**  
**Effective between the dates of 07/15/2014 and 12/26/2015**

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

**Item 1-4.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 1-4.2:**

Compliance Demonstration 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

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 1/30/2015.

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



**Condition 1-5: Compliance Demonstration**  
Effective between the dates of 07/15/2014 and 12/26/2015

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

**Item 1-5.1:**

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

Emission Unit: E-00001	Emission Point: 00F11
Emission Unit: E-00001	Emission Point: 00F12
Emission Unit: E-00001	Emission Point: 00F21
Emission Unit: E-00001	Emission Point: 00F22
Emission Unit: E-00001	Emission Point: 00F31
Emission Unit: E-00001	Emission Point: 00F32
Emission Unit: E-00001	Emission Point: 00F41
Emission Unit: E-00001	Emission Point: 00F42

Regulated Contaminant(s):  
CAS No: 0NY075-00-0 PARTICULATES

**Item 1-5.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow air emissions having an average opacity during any six consecutive minutes of 20% or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a once per week survey of the visible emissions from each of the eight emission points and while the bakery is in operation. The observer is required to make a quantified assessment of the density of the exhaust air that is discharged from each stack. These observations shall be recorded in a log book. This log shall be retained for a minimum five year period. If uncharacteristically heavy emissions are observed, then facility shall perform immediate root-cause analysis and then take expedient corrective action. If such emissions are to persist for more than 24 hours, then facility shall have EPA Reference Method 9 performed and also communicate this event to NYSDEC Division of Air Resources.

**New York State Department of Environmental Conservation**

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The facility shall submit an "Annual Monitoring Report" once per calendar year (January 1st through December 31st); this report shall include:

- 1) The form "Truth, Accuracy and Completeness"
- 2) A twelve-month copy of the entire "Visible Observations Log"
- 3) Report cannot be faxed. A hardcopy with inked signature is required.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Reference Method 9 if requested by NYSDEC

Monitoring Frequency: WEEKLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

**Condition 1-6: Compliance Demonstration**  
**Effective between the dates of 07/15/2014 and 12/26/2015**

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

**Item 1-6.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-6.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions whenever a process is in operation. If any visible emissions are identified, corrective action is required. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.



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

**Condition 4: Compliance Demonstration**  
**Effective between the dates of 12/27/2005 and 12/26/2015**

**Applicable Federal Requirement: 6 NYCRR Part 226**

**Item 4.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

6NYCRR 226. Requirements for Cold Cleaning Degreasers  
(Non Title V and prior to 01/01/2004)

A. Equipment Specifications

The following types of control equipment must be used when conducting cold cleaning degreasing, solvent metal cleaning:

- (1) A cover which can be operated easily.
- (2) An internal drainage facility (under cover), if practical.
- (3) A control system that limits VOC emissions to those achievable with equipment having a freeboard ratio greater than or equal to 0.5, or a water cover when the solvent is insoluble in and heavier than water. This does not apply to remote reservoir degreasers.
- (4) Solvent with a vapor pressure of 1.0 mm Hg, or less, at 20 C. Prior to January 1, 2004, compliance with this requirement is not mandatory if compliant solvents are not readily available. On or after January 1, 2004, the person conducting solvent metal cleaning must use compliant solvents.

B. Operating Requirements:

When cold cleaning, the clean parts must be drained at least 15 seconds or until dripping ceases.

C. General Requirements:

A Person conducting solvent metal cleaning must:

- (1) Store solvent in covered containers and transfer or dispose of waste solvent in such a manner that less than 20 percent of the waste solvent (by weight) can evaporate into the atmosphere.



- (2) Maintain equipment to minimize leaks and fugitive emissions.
- (3) Display at the equipment location a conspicuous summary of proper operating procedures consistent with minimizing emissions of VOCs.
- (4) Keep the degreaser cover closed except when:
  - (a) parts are being placed into or being removed from the degreaser;.
  - (b) adding or removing solvent from the degreaser;
  - (c) no solvent is in the degreaser; or
  - (d) when manually cleaning metal parts in the cold cleaning degreaser.
- (5) Create and retain a record of solvent consumption for five years. This record must be made available to the Department upon request.
- (6) Not clean sponges, fabric, wood, leather, paper products and other absorbent materials in a degreaser.
- (7) If using a cold cleaning degreaser that is subject to paragraph 226.3(a)(4), retain a record of the following three items for five years and provide these records to the Department upon request. An invoice, a bill of sale, a certificate covering multiple sales, a Material Safety Data Sheet (MSDS), or other appropriate documentation acceptable to the Department may be used to comply with this requirement.
  - (a) the name and address of the solvent supplier;
  - (b) the type of solvent including the product or vendor identification number; and
  - (c) the vapor pressure of the solvent measured in mm Hg at 20 C (68 F).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



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

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

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

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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**  
**The following conditions are state only enforceable.**



**Condition 6: Contaminant List**  
**Effective between the dates of 12/27/2005 and 12/26/2015**

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

**Item 6.1:**

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

**Condition 1-7: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 07/15/2014 and 12/26/2015**

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

**Item 1-7.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement



action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 7: Unavoidable noncompliance and violations**  
**Effective between the dates of 12/27/2005 and 12/26/2015**

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

**Item 7.1:**

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

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

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

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

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



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

**Condition 8: Emission Unit Definition**  
**Effective between the dates of 12/27/2005 and 12/26/2015**

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

**Item 8.1(From Mod 1):**

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

Emission Unit: E-00001

Emission Unit Description:

This emission unit consists of all operations at this facility. Yeast leavened doughnuts are produced using the straight dough process (SCC 30203202) which emits ethanol (a VOC); this process involves dough preparation, proofing and then frying in oil.

Other cake products are leavened without yeast and therefore emit no ethanol. This procedure is trivial per 6 NYCRR 201-3.3(c)(17). Two flour silos are fitted with baghouses and are therefore exempt per 6 NYCRR 201-3.2(c)(10).

Building(s): 1

**Condition 1-8: Renewal deadlines for state facility permits**  
**Effective between the dates of 07/15/2014 and 12/26/2015**

**Applicable State Requirement:6 NYCRR 201-5.2 (c)**

**Item 1-8.1:**

The owner or operator of a facility having an issued state facility 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.

**Condition 1-9: Compliance Demonstration**  
**Effective between the dates of 07/15/2014 and 12/26/2015**

**Applicable State Requirement:6 NYCRR 201-5.3 (c)**

**Item 1-9.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:





Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 10: Emission Point Definition By Emission Unit**  
Effective between the dates of 12/27/2005 and 12/26/2015

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

**Item 10.1(From Mod 1):**

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

Emission Unit: E-00001

Emission Point: 00F11  
Height (ft.): 23 Diameter (in.): 24  
NYTMN (km.): 4769.63 NYTME (km.): 485.3 Building: 1

Emission Point: 00F12  
Height (ft.): 23 Diameter (in.): 24  
NYTMN (km.): 4769.63 NYTME (km.): 485.3 Building: 1

Emission Point: 00F21  
Height (ft.): 23 Diameter (in.): 24  
NYTMN (km.): 4769.63 NYTME (km.): 485.3 Building: 1

Emission Point: 00F22  
Height (ft.): 23 Diameter (in.): 24  
NYTMN (km.): 4769.63 NYTME (km.): 485.3 Building: 1

Emission Point: 00F31  
Height (ft.): 23 Diameter (in.): 24  
NYTMN (km.): 4769.63 NYTME (km.): 485.3 Building: 1

Emission Point: 00F32  
Height (ft.): 23 Diameter (in.): 24  
NYTMN (km.): 4769.63 NYTME (km.): 485.3 Building: 1

Emission Point: 00F41  
Height (ft.): 23 Diameter (in.): 24  
NYTMN (km.): 4769.63 NYTME (km.): 485.3 Building: 1

Emission Point: 00F42  
Height (ft.): 23 Diameter (in.): 24  
NYTMN (km.): 4769.63 NYTME (km.): 485.3 Building: 1

**Condition 11: Process Definition By Emission Unit**  
Effective between the dates of 12/27/2005 and 12/26/2015

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



**Item 11.1(From Mod 1):**

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

Emission Unit: E-00001

Process: 001

Source Classification Code: 3-02-032-02

Process Description:

Raised doughnuts are produced using the straight dough process. Yeast-raised dough is prepared in 2000 pound batches and proofed (rising process) for 30 minutes before being cut into doughnuts and sent by conveyor to be fried in oil.

Emission Source/Control: FRYR1 - Process

Emission Source/Control: FRYR2 - Process

Emission Source/Control: FRYR3 - Process

Emission Source/Control: FRYR4 - Process

