



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 6-2130-00059/00003  
Effective Date: 03/23/2010                      Expiration Date: No expiration date

Permit Issued To: ELG UTICA ALLOYS INC  
PO BOX 53  
UTICA, NY 13503

Contact:            BRET COPPLE  
                         UTICA ALLOYS  
                         91 WURZ AVE PO BOX 53  
                         UTICA, NY 13503-0053  
                         (315) 733-0475

Facility:            ELG UTICA ALLOYS-HERKIMER  
                         378 GROS BLVD|  
                         HERKIMER, NY 13350

Description:  
This facility is engaged in the recycling of titanium and nickel-based metals. These materials are sorted, sized, washed/degreased and dried prior to shipping. Various metal HAPs, hydrogen chloride and particulate matter is emitted during the drying operation. VOCs and two HAPs are emitted during a degreasing operation.

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:            PATRICK M CLEAREY  
   NYSDEC - REG 6  
   207 GENESEE ST  
   UTICA, NY 13501

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

**Facility Level**

- 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 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.

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

**Condition 5: Submission of application for permit modification or renewal-REGION 6  
SUBOFFICE - UTICA**

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

**Item 5.1:**

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



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To:ELG UTICA ALLOYS INC  
PO BOX 53  
UTICA, NY 13503

Facility: ELG UTICA ALLOYS-HERKIMER  
378 GROS BLVD|  
HERKIMER, NY 13350

Authorized Activity By Standard Industrial Classification Code:  
5093 - SCRAP AND WASTE MATERIALS

Permit Effective Date: 03/23/2010  
date.

Permit Expiration Date: No expiration  
date.



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 6 NYCRR 201-7.2: Facility Permissible Emissions
- \*2 6 NYCRR 201-7.2: Capping Monitoring Condition
- 3 6 NYCRR 212.4 (a): Compliance Demonstration
- 4 6 NYCRR 212.4 (a): Compliance Demonstration
- 5 6 NYCRR 212.4 (c): Compliance Demonstration
- 6 6 NYCRR 212.6 (a): Compliance Demonstration
- 7 6 NYCRR 212.11 (b) (1): Compliance Demonstration
- 8 6 NYCRR Part 226: Compliance Demonstration
- 9 6 NYCRR 226.2: Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 10 ECL 19-0301: Contaminant List
- 11 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 12 6 NYCRR Subpart 201-5: Emission Unit Definition
- 13 6 NYCRR 211.2: Air pollution prohibited
- 14 6 NYCRR 211.2: Compliance Demonstration

**Emission Unit Level**

- 15 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 16 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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



required to operate such device effectively.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

**Item L: Open Fires 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 03/23/2010 and Permit Expiration Date**

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

**Item 1.1:**

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

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

CAS No: 001307-96-6  
Name: COBALT OXIDE

PTE: 4.53 pounds per year

**Condition 2: Capping Monitoring Condition**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 2.1:**

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

6 NYCRR 212.4 (b)

**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

New York State Department of Environmental Conservation

Permit ID: 6-2130-00059/00003

Facility DEC ID: 6213000059



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:  
The Compliance Demonstration applies to:

Emission Unit: 0-KD001	
Process: KD1	Emission Source: K1000
Emission Unit: 0-KD001	
Process: KD2	Emission Source: K2000
Regulated Contaminant(s):	
CAS No: 001307-96-6	COBALT OXIDE

**Item 2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

DAR-1 modeling indicates that the AGC for cobalt oxide (a metal HAP) will be exceeded if this kiln is operated at its maximum design capacity of 4000 lbs/hr. Facility shall avoid such an exceedence by restricting, at each of two kilns, the throughput of cleaned nickel turnings to not more than 14,000,000 pounds per 12 consecutive month period per kiln.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: METAL

Upper Permit Limit: 14,000,000 pounds per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 3: Compliance Demonstration**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 3.1:**

The Compliance Demonstration activity will be performed for the Facility.



Regulated Contaminant(s):  
CAS No: 001307-96-6 COBALT OXIDE

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Emission point K002E is an emergency overheat release stack for Process KD2. In the event of its use, the entire exhaust stream would be released to the atmosphere prior to the particulate removal functions of baghouse K2003, including nine metal HAPs and hydrogen chloride PMs. This release, if it were to persist for a sufficient time, could result in an AGC exceedence of nickel and/or other HAPs. The Process KD2 is programmed to immediately shut down the kiln if this stack were to become active. Facility shall monitor and log any time period for which K002E were to be active. Every Annual Monitoring Report shall present an entry that references the status of K002E activity (even if none) during the applicable reporting period.

Monitoring Frequency: CONTINUOUS  
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 12 calendar month(s).

**Condition 4: Compliance Demonstration**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 4.1:**

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

Emission Unit: 0-KD001  
Process: KD1 Emission Source: K1003

Emission Unit: 0-KD001  
Process: KD2 Emission Source: K2003

Regulated Contaminant(s):  
CAS No: 001306-19-0 CADMIUM OXIDE  
CAS No: 001307-96-6 COBALT OXIDE  
CAS No: 001308-38-9 CHROME (III) OXIDE  
CAS No: 001313-13-9 MANGANESE OXIDE

New York State Department of Environmental Conservation

Permit ID: 6-2130-00059/00003

Facility DEC ID: 6213000059



CAS No: 001313-99-1	NICKEL OXIDE
CAS No: 001317-36-8	LEAD MONOOXIDE (PIGMENT YELLOW 46)
CAS No: 007439-97-6	MERCURY
CAS No: 007446-08-4	SELENIUM DIOXIDE
CAS No: 007647-01-0	HYDROGEN CHLORIDE
CAS No: 001314-60-9	ANTIMONY OXIDE
CAS No: 0NY075-00-0	PARTICULATES

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Facility shall ensure that AGCs of the referenced HAP particulates are not exceeded by providing effective baghouse maintenance that is in accord with the manufacturer's specifications and/or empirical history. Baghouses shall be operated within the referenced pressure drop parameters while the associated kiln is in operation. Manometer readings below 1" WC and above 6" WC shall require immediate root cause analysis and then expedient corrective action. Manometers shall be monitored and recorded once per week while the baghouse is in operation. This record and all other baghouse maintenance records shall be kept for a minimum period of five years.

Parameter Monitored: PRESSURE DROP

Lower Permit Limit: 1 inches of water

Upper Permit Limit: 6 inches of water

Monitoring Frequency: CONTINUOUS

Averaging Method: RANGE-NOT TO FALL OUTSIDE OF STATED RANGE EXCEPT DURING STARTUP/SHUTDOWN

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 5: Compliance Demonstration**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 5.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-KD001	Emission Point: K0001
Process: KD1	

Emission Unit: 0-KD001	Emission Point: K0002
Process: KD2	



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

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Emissions of solid particles are limited to less than 0.05 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions and on a dry gas basis.

Performance testing (EPA RM 5) is the only true method to prove compliance with this standard and shall be conducted at the discretion of the Department.

In the absence of a formal stack test, facility shall attest to compliance by visually monitoring and recording the exhaust plume from each involved emission point. These observations shall be recorded in a log book which shall be submitted annually and shall be retained for a five year period.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: .05 grains per dscf  
Reference Test Method: EPA Reference Method 5  
Monitoring Frequency: DAILY  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 12 calendar month(s).

**Condition 6: Compliance Demonstration**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 6.1:**

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

Emission Unit: 0-KD001 Emission Point: K0001

Emission Unit: 0-KD001 Emission Point: K0002

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



**Item 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 to the outdoor atmosphere having an average opacity of 20% or greater for any consecutive six-minute period from any process emission source subject to 6 NYCRR 201.

EPA Reference Method 9 is the only formal determinate of opacity compliance and the Department reserves the right to perform or require the performance of a RM9.

In the absence of a formal RM 9, facility shall attest to opacity compliance by visually monitoring and recording the magnitude of optical density of the exhaust plume from each referenced emission point. This observation shall be made once per day and while the source is operating. The observer shall not consider that portion of the plume that is water vapor. These observations shall be recorded in a log book which shall be submitted annually and shall be retained for a five year period.

If dense emissions (any that are greater than "clear" or "very minimal") are observed for two consecutive days, then facility shall:

- 1) Immediately investigate the root cause and take appropriate corrective action.
- 2) Conduct a certified EPA Reference Method 9 visible emission test
- 3) Notify the NYSDEC, Division of Air Resources, Region 6
- 4) If the Method 9 test determines that the opacity is less than 20%, then an appropriate log entry of "very minimal" shall be recorded.
- 5) If the RM9 certified observer detects opacity greater than 20%, then facility shall make such an entry in the log.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.



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

**Condition 7: Compliance Demonstration**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 7.1:**

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

Emission Unit: 0-KD001  
Process: KD1 Emission Source: K1002

Emission Unit: 0-KD001  
Process: KD2 Emission Source: K2002

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

**Item 7.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

In order to ensure that the VOC destruction efficiency of the thermal oxidizer will meet the criteria of 6 NYCRR 212.10(c)(4), the oxidizer outlet temperature shall not fall below 1350 degrees Fahrenheit. This temperature shall be continuously monitored and recorded whenever the associated kiln is processing chips. The source of this VOC is from residual machine tool coolants that arrive on turnings. The 1350 degree limitation was determined during a 5/2002 stack test on oxidizer C3001 at the the ELG Wurz Avenue facility (6-3016-00057) and has been accepted (without test) as the functional lower limit for both oxidizers at this Herkimer NY plant. NYSDEC reserves the right to require, on demand, stack testing of either or both oxidizers at this Herkimer facility. Otherwise, facility is required to maintain the operational capability of this oxidizer and the facility shall log maintenance records for a minimum five-year period.

Parameter Monitored: TEMPERATURE  
Lower Permit Limit: 1350 degrees Fahrenheit  
Reference Test Method: EPA Reference Method 25A  
Monitoring Frequency: CONTINUOUS  
Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE AT ANY TIME  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.



The initial report is due 1/30/2011.  
Subsequent reports are due every 12 calendar month(s).

**Condition 8: Compliance Demonstration**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 8.1:**

The Compliance Demonstration activity will be performed for the Facility.

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

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

6NYCRR 226. Requirements for Open-top Vapor Degreasers  
(For non Title V )

A. Equipment Specifications

The following types of control equipment must be used when  
conducting open-top vapor degreasing, solvent metal  
cleaning:

1) A cover which can be operated easily without disturbing  
the vapor zone.

(2) Safety switches which shut off the sump heat if the  
condenser malfunctions and shall shut off the pump if the  
vapor level drops excessively

(3) One of the following:

(i) a freeboard ratio that is greater than or equal to  
0.75, and a powered or mechanically assisted cover if the  
top opening is greater than 10 square feet;

(ii) a refrigerated chiller; or

(iii) local exhaust ventilation and a carbon adsorption  
unit, or an equivalent system, for collection of  
VOCs.

B. Operating Requirements:

(1) Minimize solvent carry-out by the following measures:

(i) rack parts to allow full drainage;

(ii) move parts in and out of degreaser tank at less than  
11 ft/min;

(iii) degrease the work load in the vapor zone at least 30  
seconds or until condensation ceases;



- (iv) tip out any pools of solvent before removal; and
  - (v) dry parts for at least 15 seconds before removal.
- (2) Work loads shall not occupy more than half the open-top area of the degreaser tank.
- (3) Spray only below the vapor level.

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;or
  - (c) no solvent is in the 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.

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 1/30/2011.

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

**Condition 9: Compliance Demonstration**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 226.2**

**Item 9.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000075-05-8	ACETONITRILE
CAS No: 000106-88-7	ETHYL OXIRANE



CAS No: 0NY998-00-0 VOC

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility operates one exempt [per 6 NYCRR 201-3.3 (c)(39)(iv) and also per 6 NYCRR 226.6(2)] open-top batch vapor degreaser that operates with non-halogenated solvent. This unit is an Ultra Kool Model 2012, at 1.7 ft<sup>2</sup>, the open-top area is less than 11 ft<sup>2</sup>, which is the exemption threshold. In 2010, the solvent in use is Techtride DG and this solvent has been modeled with DAR-1 and has been found to exhibit no SGC or AGC exceedences.

Annually, facility shall monitor and record degreasing solvent usage. Annually, VOC and HAP emissions from solvent usage shall be calculated per current MSDS/TDS information and also reported in the Annual Monitoring Report. Acetonitrile and ethyl oxirane are both VOC and HAP in Techtride DG. Records shall be maintained for a minimum period of five years.

Monitoring Frequency: ANNUALLY

Averaging Method: ANNUAL TOTAL

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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



**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 10: Contaminant List**

**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 10.1:**

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

CAS No: 000075-05-8

Name: ACETONITRILE

CAS No: 000106-88-7

Name: ETHYL OXIRANE

CAS No: 001306-19-0

Name: CADMIUM OXIDE

CAS No: 001307-96-6

Name: COBALT OXIDE

CAS No: 001308-38-9

Name: CHROME (III) OXIDE

CAS No: 001313-13-9

Name: MANGANESE OXIDE

CAS No: 001313-99-1

Name: NICKEL OXIDE

CAS No: 001314-60-9

Name: ANTIMONY OXIDE

CAS No: 001317-36-8

Name: LEAD MONOOXIDE (PIGMENT YELLOW 46)

CAS No: 007439-97-6

Name: MERCURY

CAS No: 007446-08-4

Name: SELENIUM DIOXIDE

CAS No: 007647-01-0

Name: HYDROGEN CHLORIDE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY998-00-0

Name: VOC



**Condition 11: Unavoidable noncompliance and violations**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 11.1:**

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 12: Emission Unit Definition**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 12.1:**

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

Emission Unit: 0-KD001

Emission Unit Description:

This emission unit consists of kiln drying operations. Natural gas-fired rotary kilns are used to dry washed metal chips (nickel-based machine tool turnings).

Building(s): Main

**Item 12.2:**

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

Emission Unit: 0-SMC01

Emission Unit Description:

This emission unit consists of solvent metal cleaning operations in a vapor degreaser, using a non-halogenated solvent. Scrap metal items are cleaned in this degreaser during the recycling process.

Building(s): Main

**Condition 13: Air pollution prohibited**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 13.1:**

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 14: Compliance Demonstration**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 14.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-KD001



Emission Unit: 0-SMC01

**Item 14.2:**

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: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

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

**Condition 15: Emission Point Definition By Emission Unit  
Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 15.1:**

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

Emission Unit: 0-KD001

Emission Point: K0001

Height (ft.): 56 Diameter (in.): 14  
NYTMN (km.): 4764.727 NYTME (km.): 502.846 Building: Main

Emission Point: K0002

Height (ft.): 36 Diameter (in.): 10  
NYTMN (km.): 4764.695 NYTME (km.): 502.853 Building: Main



Emission Point: K002E  
Height (ft.): 31 Diameter (in.): 12  
NYTMN (km.): 4764.695 NYTME (km.): 502.853 Building: Main

**Condition 16: Process Definition By Emission Unit**  
**Effective between the dates of 03/23/2010 and Permit Expiration Date**

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

**Item 16.1:**

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

Emission Unit: 0-KD001  
Process: KD1 Source Classification Code: 3-04-010-99  
Process Description:

Washed nickel chips (turnings) are metered into a natural gas-fired rotary kiln, where remaining machine tool coolants are oxidized and washwater is evaporated off. Exhaust is routed through a cyclone, a natural gas-fired thermal oxidizer (destroys VOCs from residual coolant oils), a heat exchanger (reduce temp to protect baghouse) and then a baghouse (picks up nine different metal HAP particles plus HCl particulates which originate from chlorinated coolant oils) before final atmospheric release through a stack (EP=K0001). Two kiln burners cumulatively total at 3 MM Btu/hr, burner exhaust is segregated from kiln airstream (vented separately).

Emission Source/Control: K1000 - Combustion  
Design Capacity: 4,000 pounds per hour

Emission Source/Control: K1001 - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: K1002 - Control  
Control Type: DIRECT FLAME AFTERBURNER WITH HEAT EXCHANGER

Emission Source/Control: K1003 - Control  
Control Type: FABRIC FILTER

**Item 16.2:**

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

Emission Unit: 0-KD001  
Process: KD2 Source Classification Code: 3-04-010-99  
Process Description:

Washed nickel chips (turnings) are metered into a natural gas-fired rotary kiln, where remaining machine tool coolants are oxidized and washwater is dried off. Exhaust is routed through a cyclone, a heat recuperator (uses kiln exhaust heat to pre-heat oxidizer intake combustion air),



a natural gas-fired thermal oxidizer (destroys VOCs from from residual coolant oils), a heat exchanger (reduce temp to protect baghouse, dumps this heat into atmosphere) and then a baghouse (picks up nine different metal HAP particles plus HCl particles which form from chlorinated coolant oils) before final atmospheric release through a stack (EP=K0002). Two kiln burners cumulatively total at 3 MMBtu/hr; burner exhaust is segregated from kiln airstream.

This process also has an emergency exhaust-release stack (EP=K002E) whose design is to dump the entire exhaust stream (in an overheat scenario) into the atmosphere immediately prior to baghouse control. If this were to occur, nine metal HAPs plus hydrogen chloride PM would realize an uncontrolled release. This system is designed to shut down Process KD2 if such an overheat were to occur. The status of K002E activity or inactivity shall be addressed in every Annual Monitoring Report.

Emission Source/Control: K2000 - Combustion  
Design Capacity: 4,000 pounds per hour

Emission Source/Control: K2001 - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: K2002 - Control  
Control Type: DIRECT FLAME AFTERBURNER WITH HEAT EXCHANGER

Emission Source/Control: K2003 - Control  
Control Type: FABRIC FILTER

**Item 16.3:**

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

Emission Unit: 0-SMC01  
Process: VD1 Source Classification Code: 4-01-002-15  
Process Description:

This process consists of batch vapor degreasing operations. Degreasing is performed in a unit that has an open-top area that exceeds 11 square feet and therefore is subject to 6 NYCRR 226. Facility also operates an exempt vapor degreaser with open-top less than 11 square feet. As both units use a non-halogenated solvent, this process is not subject to 40 CFR 63 Subpart T. There is no emission point for this process.

Emission Source/Control: VD001 - Process



