



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 6-2130-00111/00001  
Effective Date: 04/02/2014 Expiration Date: 03/31/2024

Permit Issued To: CNY MELT CORP  
3107 ST RTE 28  
HERKIMER, NY 13350

Contact: JOHN DOOLEN, JR  
200 WIDRICK RD  
FRANKFORT, NY 13340

Facility: CNY MELT CORP  
3107 ST RTE 28 (SWEAT FURNACE PORTION OF OPERATION)  
HERKIMER, NY 13350

Description:  
This project involves the installation of an aluminum sweat furnace with an integrated afterburner for pollution control.

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: LAWRENCE R AMBEAU  
NYSDEC - STATE OFFICE BLDG  
317 WASHINGTON ST  
WATERTOWN, NY 13601

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 HEADQUARTERS



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

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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

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

**Item 2.1:**

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

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

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal-REGION 6 HEADQUARTERS**  
**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 Headquarters  
Division of Environmental Permits  
State Office Building, 317 Washington Street  
Watertown, NY 13601-3787  
(315) 785-2245

**New York State Department of Environmental Conservation**

Permit ID: 6-2130-00111/00001

Facility DEC ID: 6213000111



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: CNY MELT CORP  
3107 ST RTE 28  
HERKIMER, NY 13350

Facility: CNY MELT CORP  
3107 ST RTE 28 (SWEAT FURNACE PORTION OF OPERATION)  
HERKIMER, NY 13350

Authorized Activity By Standard Industrial Classification Code:  
3341 - SECONDARY NONFERROUS METALS

Permit Effective Date: 04/02/2014

Permit Expiration Date: 03/31/2024



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 211.1: Air pollution prohibited
- 2 40CFR 63.1502(a), Subpart RRR: Material incorporated by reference
- 3 40CFR 63.1510(b), Subpart RRR: Monitoring and Compliance Requirements  
- OM&M Plan
- 4 40CFR 63.1516, Subpart RRR: Secondary Aluminum MACT Reports
- 5 40CFR 63.1517, Subpart RRR: Secondary Aluminum MACT Recordkeeping

#### Emission Unit Level

#### EU=1-SFURN

- 6 6 NYCRR 212.4 (a): Emissions from new emission sources and/or  
modifications
- 7 6 NYCRR 212.4 (c): Compliance Demonstration
- 8 40CFR 63.1500(c)(4), Subpart RRR: Area Source Applicability
- 9 40CFR 63.1505(f), Subpart RRR: Compliance Demonstration
- 10 40CFR 63.1506(h), Subpart RRR: Compliance Demonstration
- 11 40CFR 63.1510(g), Subpart RRR: Compliance Demonstration
- 12 40CFR 63.1511(a), Subpart RRR: Site-specific test plan
- 13 40CFR 63.1511(c), Subpart RRR: Test Methods
- 14 40CFR 63.1513(b), Subpart RRR: Equations for Determining Compliance  
- PM, HCl and D/F emission limits
- 15 40CFR 63.1513(d), Subpart RRR: Conversion of D/F measurements to TEQ  
units
- 16 40CFR 63.1515(a)(6), Subpart RRR: Notification of performance test date
- 17 40CFR 63.1515(b), Subpart RRR: Compliance Demonstration

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 18 ECL 19-0301: Contaminant List
- 19 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 20 6 NYCRR Subpart 201-5: Emission Unit Definition
- 21 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 22 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 23 6 NYCRR 211.2: Visible Emissions Limited

#### Emission Unit Level

- 24 6 NYCRR Subpart 201-5: Emission Point 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: Air pollution prohibited**



**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 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 2: Material incorporated by reference**

**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement:40CFR 63.1502(a), Subpart RRR**

**Item 2.1:**

The following material is incorporated by reference in the corresponding sections noted. The incorporation by reference (IBR) of certain publications listed in the rule will be approved by the Director of the Office of the Federal Register as of March 23, 2000 and consists of:

- Chapters 3 and 5 of "Industrial Ventilation: A Manual of Recommended Practice," American Conference of Governmental Industrial Hygienists, (23rd Edition, 1998), IBR approved for §63.1506(c), and
- "Interim Procedures for Estimating Risks Associated with Exposures to Mixtures of Chlorinated Dibenzo-p-dioxins and Dibenzofurans (CDDs and CDFs) and 1989 Update" (EPA/625/3-89/016)

**Condition 3: Monitoring and Compliance Requirements - OM&M Plan**

**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement:40CFR 63.1510(b), Subpart RRR**

**Item 3.1:**

The owner or operator must prepare and implement for each new or existing affected source and emission unit, a written operation, maintenance, and monitoring (OM&M) plan. The owner or operator must submit the plan to NYSDEC for review and approval as part of the application for a part 70 or part 71 permit. Any subsequent changes to the plan must be submitted to the NYSDEC for review and approval. Pending approval by the NYSDEC of an initial or amended plan, the owner or operator must comply with the provisions of the submitted plan. The plan must be accompanied by a written certification by the owner or operator that the OM&M Plan satisfies all requirements of this section and is otherwise consistent with the requirements of this subpart. The owner or operator must comply with all the provisions of the OM&M Plan as submitted to the NYSDEC, unless and until the plan is revised in accordance with the following procedures. If the NYSDEC determines at any time after receipt of the OM&M Plan that any revisions of the plan are necessary to satisfy the requirements of this section or this subpart, the owner or operator must promptly make all necessary revisions and resubmit the revised plan. If the owner or operator determines that any other revisions of the OM&M Plan are necessary, such revisions will not become effective until the owner or operator submits a description of the changes and a revised plan incorporating them to the NYSDEC. Each plan must contain the



following information:

- (1) Process and control device parameters to be monitored to determine compliance, along with established operating levels or ranges, as applicable, for each process and control device.
- (2) A monitoring schedule for each affected source and emission unit.
- (3) Procedures for the proper operation and maintenance of each process unit and add-on control device used to meet the applicable emission limits or standards in 40 CFR Part 63.1505.
- (4) Procedures for the proper operation and maintenance of monitoring devices or systems used to determine compliance, including:
  - (i) Calibration and certification of accuracy of each monitoring device, at least once every 6 months, according to the manufacturer's instructions; and
  - (ii) Procedures for the quality control and quality assurance of continuous emission or opacity monitoring systems as required by the general provisions in 40 CFR Part 63 Subpart A.
- (5) Procedures for monitoring process and control device parameters, including procedures for annual inspections of afterburners, and if applicable, the procedure to be used for determining charge/feed (or throughput) weight if a measurement device is not used.
- (6) Corrective actions to be taken when process or operating parameters or add-on control device parameters deviate from the value or range established in paragraph (b)(1) of 40 CFR §63.1510, including:
  - (i) Procedures to determine and record the cause of an deviation or excursion, and the time the deviation or excursion began and ended; and
  - (ii) Procedures for recording the corrective action taken, the time corrective action was initiated, and the time/date corrective action was completed.
- (7) A maintenance schedule for each process and control device that is consistent with the manufacturer's instructions and recommendations for routine and long-term maintenance.
- (8) Documentation of the work practice and pollution prevention measures used to achieve compliance with the applicable emission limits and a site-specific monitoring plan as required in 40 CFR §63.1510(o) for each group 1 furnace not equipped with an add-on air pollution control device.

**Condition 4: Secondary Aluminum MACT Reports**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement: 40CFR 63.1516, Subpart RRR**

**Item 4.1:**

Startup, shutdown, and malfunction plan/reports: The owner or operator must develop and implement a written plan as described in 40 CFR §63.6(e)(3) that contains specific procedures to be followed for operating and maintaining the source during periods of startup, shutdown, and



malfunction, and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the standard. The owner or operator shall also keep records of each event as required by §63.10(b) and record and report if an action taken during a startup, shutdown, or malfunction is not consistent with the procedures in the plan as described in §63.6(e)(3). In addition to the information required in §63.6(e)(3), the plan must include:

(1) Procedures to determine and record the cause of the malfunction and the time the malfunction began and ended; and

(2) Corrective actions to be taken in the event of a malfunction of a process or control device, including procedures for recording the actions taken to correct the malfunction or minimize emissions.

**Item 4.2:**

Excess emissions/summary report. As required by §63.10(e)(3), the owner or operator must submit semiannual reports within 60 days after the end of each 6-month period. Each report must contain the information specified in §63.10(c). When no deviations of parameters have occurred, the owner or operator must submit a report stating that no excess emissions occurred during the reporting period. A report must be submitted if any of the conditions listed in 40 CFR §63.1516(b)(1) occur during a 6-month reporting period.

The owner or operator must submit the results of any performance test conducted during the reporting period, including one complete report documenting test methods and procedures, process operation, and monitoring parameter ranges or values for each test method used for a particular type of emission point tested.

**Item 4.3:**

Annual compliance certifications: For the purpose of annual certifications of compliance required by 40 CFR part 70 or 71, the owner or operator must certify continuing compliance based upon, but not limited to, the following conditions:

(1) Any period of excess emissions, as defined in paragraph (b)(1) of this section, that occurred during the year were reported as required by this subpart; and

(2) All monitoring, recordkeeping, and reporting requirements were met during the year.

**Condition 5: Secondary Aluminum MACT Recordkeeping  
Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement:40CFR 63.1517, Subpart RRR**

**Item 5.1:**

(a) As required by §63.10(b), the owner or operator shall maintain files of all information (including all reports and notifications) required by the general provisions (40 CFR 63 Subpart A) and 40 CFR 63 Subpart RRR.

(1) The owner or operator must retain each record for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The most recent 2 years of records must be retained at the facility. The remaining 3 years of records may be retained off site.

(2) The owner or operator may retain records on microfilm, computer disks, magnetic tape, or microfiche; and

(3) The owner or operator may report required information on paper or on a labeled computer disk using commonly available and EPA-compatible computer software.

(b) In addition to the general records required by §63.10(b), the owner or operator of a new or

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existing affected source (including an emission unit in a secondary aluminum processing unit) must maintain additional records listed in 40 CFR §63.1517(b)(1) through (b)(17) as applicable.

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

**Condition 6: Emissions from new emission sources and/or modifications  
Effective between the dates of 04/02/2014 and 03/31/2024**

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

**Item 6.1:**

This Condition applies to Emission Unit: 1-SFURN

**Item 6.2:**

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

**Condition 7: Compliance Demonstration  
Effective between the dates of 04/02/2014 and 03/31/2024**

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

**Item 7.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-SFURN

**Item 7.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. The Department reserves the right to perform or require the performance of a Method 5 emissions evaluation at any time.

The permittee will conduct compliance observations during operation at the monitoring frequency stated below. These observations include pertinent information relating to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The permittee will confirm that all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that



ensure this source to be in compliance with the particulate emission rate.

Additionally, the permittee will immediately investigate any instance where there is cause to believe that particulate emissions above 0.05 gr/dscf are occurring or have occurred from a process source. These instances include but are not limited to process upsets, control device malfunctions or problems, abnormal visible emissions, complaints, etc. During these instances the permittee shall determine the cause, make the necessary correction, and verify that the excess emissions problem has been corrected.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department and the semiannual progress report and annual compliance certifications required of all permittees subject to Title V must include a summary of these instances.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: 0.050 grains per dscf  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 8: Area Source Applicability**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement: 40CFR 63.1500(c)(4), Subpart RRR**

**Item 8.1:**  
This Condition applies to Emission Unit: 1-SFURN

**Item 8.2:**  
The requirements of this subpart pertaining to dioxin and furan (D/F) emissions and associated operating, monitoring, reporting and record keeping requirements apply to the following affected sources, located at a secondary aluminum production facility that is an area source of HAPs as defined in Sec. 63.2:

- (1) Each new and existing thermal chip dryer;
- (2) Each new and existing scrap dryer/delacquering kiln/decoating kiln;
- (3) Each new and existing sweat furnace;
- (4) Each new and existing secondary aluminum processing unit, containing one or more group  
1 furnace emission units processing other than clean charge.

**Condition 9: Compliance Demonstration**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

New York State Department of Environmental Conservation

Permit ID: 6-2130-00111/00001

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**Applicable Federal Requirement:40CFR 63.1505(f), Subpart RRR**

**Item 9.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-SFURN

Regulated Contaminant(s):

CAS No: 051207-31-9 2,3,7,8-TETRACHLORODIBENZOFURAN

CAS No: 001746-01-6 2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a sweat furnace shall comply with the emission standard of paragraph (f)(2) of this section.

(1) The owner or operator is not required to conduct a performance test to demonstrate compliance with the emission standard of paragraph (f)(2) of this section, provided that, on and after the compliance date of this rule, the owner or operator operates and maintains an afterburner with a design residence time of 0.8 seconds or greater and an operating temperature of 1600 °F or greater.

(2) On and after the compliance date established by §63.1501, the owner or operator of a sweat furnace at a secondary aluminum production facility that is a major or area source must not discharge or cause to be discharged to the atmosphere emissions in excess of 0.80 nanogram (ng) of D/F TEQ per dscm ( $3.5 \times 10^{-10}$  gr per dscf) at 11 percent oxygen (O<sub>2</sub>).

Upper Permit Limit: 0.80 nanograms per dry standard cubic meter

Reference Test Method: EPA Method 23

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 10: Compliance Demonstration**

**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement:40CFR 63.1506(h), Subpart RRR**

**Item 10.1:**

The Compliance Demonstration activity will be performed for:



Emission Unit: 1-SFURN

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

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner/operator of a sweat furnace with emissions controlled by an afterburner must:

- 1) Maintain the 3-hour block average operating temperature of each afterburner at or above the average temperature established during the performance test or 1600 °F if a performance test was not conducted, and the afterburner meets the specifications of §63.1505(f)(1).
- 2) Operate each afterburner in accordance with the operation, maintenance, and monitoring (OM&M) plan as required in §63.1510(b).

Parameter Monitored: TEMPERATURE  
Lower Permit Limit: 1600 degrees Fahrenheit  
Monitoring Frequency: CONTINUOUS  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2014.  
Subsequent reports are due every 6 calendar month(s).

**Condition 11: Compliance Demonstration**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement:40CFR 63.1510(g), Subpart RRR**

**Item 11.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-SFURN

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

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:



These requirements apply to the owner or operator of an affected source using an afterburner to comply with the requirements of this subpart.

1) The owner or operator must install, calibrate, maintain, and operate a device to continuously monitor and record the operating temperature of the afterburner consistent with the requirements for continuous monitoring systems in subpart A of this part.

2) The temperature monitoring device must meet each of these performance and equipment specifications:

i) The temperature monitoring device must be installed at the exit of the combustion zone of each afterburner.

ii) The monitoring system must record the temperature in 15 minute block averages and determine and record the average temperature for each 3 hour block period.

iii) The recorder response range must include zero and 1.5 times the average temperature established according to the requirements in §63.1512(m).

iv) The reference method must be a National Institute of Standards and Technology calibrated reference thermocouple-potentiometer system or alternate reference, subject to approval by the Administrator.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1600 degrees Fahrenheit

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 11/29/2014.

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

**Condition 12: Site-specific test plan**

**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement: 40CFR 63.1511(a), Subpart RRR**

**Item 12.1:**

This Condition applies to Emission Unit: 1-SFURN

**Item 12.2:**

Prior to conducting a performance test required by 40 CFR Part 63 Subpart RRR, the owner or operator must prepare and submit a site-specific test plan meeting the requirements in 40 CFR Part 63.7(c).



**Condition 13: Test Methods**  
Effective between the dates of 04/02/2014 and 03/31/2024

**Applicable Federal Requirement: 40CFR 63.1511(c), Subpart RRR**

**Item 13.1:**  
This Condition applies to Emission Unit: 1-SFURN

**Item 13.2:**  
The owner or operator must use the following methods in appendix A to 40 CFR part 60 to determine compliance with the applicable emission limits or standards:

- (1) Method 1 for sample and velocity traverses.
- (2) Method 2 for velocity and volumetric flow rate.
- (3) Method 3 for gas analysis.
- (4) Method 4 for moisture content of the stack gas.
- (5) Method 5 for the concentration of PM.
- (6) Method 9 for visible emission observations.
- (7) Method 23 for the concentration of D/F.
- (8) Method 25A for the concentration of THC, as propane.
- (9) Method 26A for the concentration of HCl. Where a lime-injected fabric filter is used as the control device to comply with the 90 percent reduction standard, the owner or operator must measure the fabric filter inlet concentration of HCl at a point before lime is introduced to the system.

**Condition 14: Equations for Determining Compliance - PM, HCl and D/F**  
**emission limits**  
Effective between the dates of 04/02/2014 and 03/31/2024

**Applicable Federal Requirement: 40CFR 63.1513(b), Subpart RRR**

**Item 14.1:**  
This Condition applies to Emission Unit: 1-SFURN

**Item 14.2:**  
PM, HCl and D/F emission limits. Use Equation 7 to determine compliance with an emission limit for PM, HCl, and D/F:

$$C \times Q \times K_1$$



$$E = \frac{\text{-----}}{P} \quad (\text{Eq. 7})$$

Where,

E = Emission rate of PM, HCl, or D/F, kg/Mg (lb/ton) of feed;

C = Concentration of PM, HCl, or D/F, g/dscm (gr/dscf);

Q = Volumetric flow rate of exhaust gases, dscm/hr (dscf/hr);

K<sub>1</sub> = Conversion factor, 1 kg/1,000 g (1 lb/7,000 gr); and

P = Production rate, Mg/hr (ton/hr).

**Condition 15: Conversion of D/F measurements to TEQ units**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement:40CFR 63.1513(d), Subpart RRR**

**Item 15.1:**

This Condition applies to Emission Unit: 1-SFURN

**Item 15.2:**

To convert D/F measurements to TEQ units, the owner/operator must use the procedures and equations in "Interim Procedures for Estimating Risks Associated with Exposures to Mixtures of Chlorinated Dibenzo-p-Dioxins and Dibenzofurans (CDDs and CDFs) and 1989 Update" (EPA-625/3-89-016), incorporated by reference in §63.1502 of Subpart RRR, available from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA, NTIS no. PB 90-145756.

**Condition 16: Notification of performance test date**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement:40CFR 63.1515(a)(6), Subpart RRR**

**Item 16.1:**

This Condition applies to Emission Unit: 1-SFURN

**Item 16.2:**

As required by §63.9(e) and (f), the owner/operator must provide notification of the anticipated date for conducting performance tests and visible emission observations. The owner/operator must notify EPA or NYSDEC of the intent to conduct a performance test at least 60 days before the performance test is scheduled; notification of opacity or visible emission observations for a performance test must be provided at least 30 days before the observations are scheduled to take place.

**Condition 17: Compliance Demonstration**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable Federal Requirement:40CFR 63.1515(b), Subpart RRR**



**Item 17.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-SFURN

Regulated Contaminant(s):

CAS No: ONY100-00-0 TOTAL HAP

**Item 17.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For existing sources, the notification of compliance status report is due 60 days after the compliance date established in §63.1501(a). For new affected sources, the report is due within 90 days after conducting the initial performance test required by §63.1511(b), or within 90 days after the compliance date established by §63.1501(b) if no initial performance test is required. The notification must be signed by the responsible official who must certify its accuracy. A complete notification of compliance status report must include the following information in an operating permit application, in an amendment to a permit application, in a separate submittal, or any combination. The notification of compliance status report must include:

- 1) All information required in §63.9(h) for notification of compliance status reports. The owner/operator must provide a complete performance test report for each affected source and emission unit for which a performance test is required. A complete performance test report includes all data, associated measurements, and calculations (including visible emission and opacity tests).
- 2) The approved site-specific test plan and performance evaluation test results for each continuous monitoring system (including a continuous emission or opacity monitoring system)
- 3) Unit labeling as described in §63.1506(b), including process type or furnace classification and operating requirements.
- 4) The compliant operating parameter value or range established for each affected source or emission unit with supporting documentation and a description of the procedure used to establish the value (e.g., the lime injection rate, fabric filter inlet temperature, etc.), including the operating cycle or time period used in the



performance test.

5) Design information and analysis, with supporting documentation, demonstrating conformance with the requirements for capture/collection systems in §63.1506(c).

6) If applicable, analysis and supporting documentation demonstrating conformance with EPA guidance and specifications for bag leak detection systems in 63.1510(f).

7) Manufacturer's specification or analysis documenting the design residence time of no less than 1 second for each afterburner used to control emissions from a scrap dryer/delacquering kiln/decoating kiln subject to alternative emission standards in §63.1505(e).

8) Manufacturer's specification or analysis documenting the design residence time of no less than 2 seconds and design operating temperature of no less than 1600 degrees F for each afterburner used to control emissions from a sweat furnace that is not subject to a performance test.

9) Approved OM&M plan (Including site-specific monitoring plan for each group 1 furnace with no add-on air pollution control device)

10) Startup, shutdown, and malfunction plan, with revisions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**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 facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

**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 18: Contaminant List**  
**Effective between the dates of 04/02/2014 and 03/31/2024**



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

**Item 18.1:**

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

CAS No: 001746-01-6

Name: 2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN

CAS No: 051207-31-9

Name: 2,3,7,8-TETRACHLORODIBENZOFURAN

CAS No: 0NY100-00-0

Name: TOTAL HAP

**Condition 19: Malfunctions and start-up/shutdown activities  
Effective between the dates of 04/02/2014 and 03/31/2024**

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

**Item 19.1:**

(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 20: Emission Unit Definition**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

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

**Item 20.1:**

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

Emission Unit: 1-SFURN

Emission Unit Description:

The unit consists of an Al-Jon/AS-1500 aluminum sweat furnace firing propane. The unit has an integrated 1 mmBtu/hr afterburner with a residence time calculated at 1.1 seconds at or above 1600 degrees F.

Building(s): SFBLDG

**Condition 21: Renewal deadlines for state facility permits**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

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

**Item 21.1:**

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 22: Compliance Demonstration**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

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

**Item 22.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources  
NYS Dept. of Environmental Conservation

**New York State Department of Environmental Conservation**

Permit ID: 6-2130-00111/00001

Facility DEC ID: 6213000111



Region 6  
State Office Building  
317 Washington Ave.  
Watertown, NY 13601

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 23: Visible Emissions Limited**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 23.1:**

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

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

**Condition 24: Emission Point Definition By Emission Unit**  
**Effective between the dates of 04/02/2014 and 03/31/2024**

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

**Item 24.1:**

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

Emission Unit: 1-SFURN

Emission Point: PT001

Height (ft.): 33

Diameter (in.): 40

NYTMN (km.): 4766.337

NYTME (km.): 501.041

Building: SFBLDG

