



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 6-2220-00008/02003  
Effective Date: 05/19/2008                      Expiration Date: No expiration date

Permit Issued To: GREAT LAKES CHEESE OF NEW YORK INC  
23 PHELPS AVE  
ADAMS, NY 13605-1022

Contact: CRAIG FILKOUSKI  
GREAT LAKES CHEESE COMPANY INC  
17825 GREAT LAKES PKWY  
HIRAM, OH 44234-1806  
(440) 834-7220

Facility: GREAT LAKES CHEESE OF NEW YORK INC  
23 PHELPS ST  
ADAMS, NY 13605

Contact: JOHN JENNINGS  
GREAT LAKES CHEESE OF NEW YORK  
23 PHELPS ST  
ADAMS, NY 13605  
(315) 232-5329

Description:

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: LAWRENCE R AMBEAU  
DIVISION OF ENVIRONMENTAL PERMITS  
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: 6NYCRR 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: 6NYCRR 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 HEADQUARTERS**

**Applicable State Requirement: 6NYCRR 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: 6-2220-00008/02003

Facility DEC ID: 6222000008



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: GREAT LAKES CHEESE OF NEW YORK INC  
23 PHELPS AVE  
ADAMS, NY 13605-1022

Facility: GREAT LAKES CHEESE OF NEW YORK INC  
23 PHELPS ST  
ADAMS, NY 13605

Authorized Activity By Standard Industrial Classification Code:  
2022 - CHEESE NATURAL AND PROCESSED

Permit Effective Date: 05/19/2008

Permit Expiration Date: No expiration date.



## 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

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6NYCRR 212.4(c): Compliance Demonstration
- 2 6NYCRR 212.6(a): Compliance Demonstration
- 3 6NYCRR 227-1.3(b): Compliance Demonstration

#### Emission Unit Level

#### EU=E-00001

- 4 6NYCRR 227-1.6: Corrective Action
- 5 6NYCRR 227-1.7: General Provisions
- 6 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 7 40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
- 8 40CFR 60.9, NSPS Subpart A: Availability of information.
- 9 40CFR 60.12, NSPS Subpart A: Circumvention.
- 10 40CFR 60.14, NSPS Subpart A: Modifications.
- 11 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 12 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration
- 13 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Demonstration
- 14 6NYCRR 227-1.3(a): Compliance Demonstration

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 15 ECL 19-0301: Contaminant List
- 16 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 17 6NYCRR 201-5: Emission Unit Definition
- 18 6NYCRR 211.2: Air pollution prohibited

#### Emission Unit Level

- 19 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 20 6NYCRR 201-5: Process Definition By Emission Unit



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Sealing - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 201-1.2**

If an existing emission source was subject to the permitting requirements of 6NYCRR 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 - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 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 Part 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 Part 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 Part 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 6NYCRR Part 202-1.

**Item K: Visible Emissions Limited - 6 NYCRR Part 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 - 6 NYCRR Part 215**

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**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: Compliance Demonstration**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

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

**Item 1.1:**

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

Emission Unit: E-00002 Process: 001	Emission Point: 00005 Emission Source: TFD02
Emission Unit: E-00002 Process: 001	Emission Point: 00006 Emission Source: TFD03
Emission Unit: E-00002 Process: 002	Emission Point: 00008 Emission Source: MSD02
Emission Unit: E-00002 Process: 003	Emission Point: 00009 Emission Source: PKG01

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

**Item 1.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Permittee shall conduct initial compliance testing within 180 days of startup of the emission sources listed above. Subsequent compliance testing on the emission sources listed above shall be conducted at the monitoring frequency stated below.

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA RM 5

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2: Compliance Demonstration**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

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



**Item 2.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: E-00002 Process: 001	Emission Point: 00005 Emission Source: TFD02
Emission Unit: E-00002 Process: 001	Emission Point: 00006 Emission Source: TFD03
Emission Unit: E-00002 Process: 002	Emission Point: 00008 Emission Source: MSD02
Emission Unit: E-00002 Process: 003	Emission Point: 00009 Emission Source: PKG01

**Item 2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition,



it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Monitoring Frequency: DAILY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2009.  
Subsequent reports are due every 12 calendar month(s).

**Condition 3: Compliance Demonstration**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 227-1.3(b)**

**Item 3.1:**

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

Emission Unit: E-00001 Process: 004	Emission Point: 00001 Emission Source: BLR01
Emission Unit: E-00001 Process: 004	Emission Point: 00002 Emission Source: BLR02
Emission Unit: E-00001 Process: 004	Emission Point: 00003 Emission Source: BLR03

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Compliance with the opacity standard for the emission sources listed above may be determined by:

- (1) conducting observations in accordance with Reference Method 9;
- (2) evaluating Continuous Opacity Monitoring System (COMS) records and reports; and/or
- (3) considering any other credible evidence.

Any or all of these compliance methods must be utilized if requested by the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



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

**Condition 4: Corrective Action**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement:6NYCRR 227-1.6**

**Item 4.1:**

This Condition applies to Emission Unit: E-00001

**Item 4.2:**

(a) Any person found to have violated any provision of this Part shall not cause, permit or allow operation of the stationary combustion installation involved in the violation unless:

- (1) it is equipped with approved emission control equipment;
- (2) it is rehabilitated or upgraded in an approved manner; or
- (3) the fuel is changed to an acceptable type.

(b) The commissioner may seal such stationary combustion installation so as to prevent any operation if the conditions of paragraph (a)(1)-(3) above are not met within the time provided by the order of final determination issued in the case of the violation.

(c) No person shall cause, permit or allow operation of any stationary combustion installation sealed by the commissioner in accordance with this section.

(d) No person except the commissioner or his representative shall remove, tamper with or destroy any seal affixed to any stationary combustion installation.

**Condition 5: General Provisions**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement:6NYCRR 227-1.7**

**Item 5.1:**

This Condition applies to Emission Unit: E-00001

**Item 5.2:**

(a) Emission data. Any person who owns or operates a stationary combustion installation described in 6 NYCRR Part 227-1 shall provide pertinent data concerning emissions when so requested by the commissioner.

(b) Test methods. Sampling, compositing and analysis of fuel samples shall be carried out in accordance with the most recent ASTM standard methods or equivalent methods acceptable to the commissioner.

**Condition 6: EPA Region 2 address.**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**



**Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A**

**Item 6.1:**

This Condition applies to Emission Unit: E-00001

**Item 6.2:**

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance  
USEPA Region 2  
290 Broadway, 21st Floor  
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

**Condition 7: Date of construction notification - If a COM is not used.  
Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.7(a), NSPS Subpart A**

**Item 7.1:**

This Condition applies to Emission Unit: E-00001

**Item 7.2:**

Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;



5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 8: Availability of information.**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A**

**Item 8.1:**

This Condition applies to Emission Unit: E-00001

**Item 8.2:**

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

**Condition 9: Circumvention.**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A**

**Item 9.1:**

This Condition applies to Emission Unit: E-00001

**Item 9.2:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 10: Modifications.**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A**

**Item 10.1:**

This Condition applies to Emission Unit: E-00001

**Item 10.2:**

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

**Condition 11: Compliance Demonstration**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.48c(a), NSPS Subpart Dc**



**Item 11.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: E-00001

Process: 004

Emission Source: BLR01

Emission Unit: E-00001

Process: 004

Emission Source: BLR02

Emission Unit: E-00001

Process: 004

Emission Source: BLR03

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by 40 CFR 60.7 of this part. This notification shall include:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 12: Compliance Demonstration**

**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.48c(g), NSPS Subpart Dc**

**Item 12.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: E-00001

Process: 004

Emission Source: BLR01



Emission Unit: E-00001  
Process: 004

Emission Source: BLR02

Emission Unit: E-00001  
Process: 004

Emission Source: BLR03

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

**Condition 13: Compliance Demonstration**

**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.48c(i), NSPS Subpart Dc**

**Item 13.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: E-00001  
Process: 004

Emission Source: BLR01

Emission Unit: E-00001  
Process: 004

Emission Source: BLR02

Emission Unit: E-00001  
Process: 004

Emission Source: BLR03

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**Condition 14: Compliance Demonstration**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 227-1.3(a)**

**Item 14.1:**

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

Emission Unit: E-00001 Process: 004	Emission Point: 00001 Emission Source: BLR01
Emission Unit: E-00001 Process: 004	Emission Point: 00002 Emission Source: BLR02
Emission Unit: E-00001 Process: 004	Emission Point: 00003 Emission Source: BLR03

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective



actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: Method 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 1/30/2009.  
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 - 6NYCRR Part 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 15: Contaminant List**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

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

**Item 15.1:**

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

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

**Condition 16: Unavoidable noncompliance and violations**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

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

**Item 16.1:**

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 17: Emission Unit Definition**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

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

**Item 17.1:**

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

Emission Unit: E-00001

Emission Unit Description:

Three (3) natural gas fired boilers, each rated at maximum heat input capacity of 24.29 MMBtu/hr.

Building(s): 01

**Item 17.2:**

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

Emission Unit: E-00002

Emission Unit Description:

One (1) TFD dryer used for drying permeate, equipped with a natural gas fired burner rated at maximum heat input capacity of 7.71 MMBtu per hour. Particulate emissions are controlled by one (1) baghouse and one (1) wet scrubber with each exhausting through a separate stack.

One (1) MSD dryer used for drying WPC, equipped with a natural gas fired burner rated at maximum heat input capacity of 3.85 MMBtu per hour. Particulate emissions are controlled by one (1) baghouse exhausting through one (1) stack.

One (1) Powder Packaging and Conveying system equipped with one (1) baghouse for particulate control.

All three (3) baghouses and the scrubber are considered integral parts of the process since the product recovered in each control device is recycled back to product line, therefore, each control shall be in operation whenever the dryers and packaging/conveying systems are in operation.

Building(s): 01

**Condition 18: Air pollution prohibited**



**Effective between the dates of 05/19/2008 and Permit Expiration Date**

**Applicable State Requirement:6NYCRR 211.2**

**Item 18.1:**

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.

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

**Condition 19: Emission Point Definition By Emission Unit**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

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

**Item 19.1:**

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

Emission Unit: E-00001

Emission Point: 00001

Height (ft.): 34                      Diameter (in.): 26  
NYTMN (km.): 4851.65      NYTME (km.): 416.987      Building: 01

Emission Point: 00002

Height (ft.): 34                      Diameter (in.): 26  
NYTMN (km.): 4851.65      NYTME (km.): 416.987      Building: 01

Emission Point: 00003

Height (ft.): 34                      Diameter (in.): 26  
NYTMN (km.): 4851.65      NYTME (km.): 416.987      Building: 01

**Item 19.2:**

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

Emission Unit: E-00002

Emission Point: 00004

Height (ft.): 113                      Diameter (in.): 18  
NYTMN (km.): 4851.65      NYTME (km.): 416.987      Building: 01

Emission Point: 00005

Height (ft.): 113                      Diameter (in.): 31  
NYTMN (km.): 4851.65      NYTME (km.): 416.987      Building: 01



Emission Point: 00006  
Height (ft.): 113 Diameter (in.): 39  
NYTMN (km.): 4851.65 NYTME (km.): 416.987 Building: 01

Emission Point: 00007  
Height (ft.): 113 Diameter (in.): 18  
NYTMN (km.): 4851.65 NYTME (km.): 416.987 Building: 01

Emission Point: 00008  
Height (ft.): 113 Diameter (in.): 28  
NYTMN (km.): 4851.65 NYTME (km.): 416.987 Building: 01

Emission Point: 00009  
Height (ft.): 113 Diameter (in.): 16  
NYTMN (km.): 4851.65 NYTME (km.): 416.987 Building: 01

**Condition 20: Process Definition By Emission Unit**  
**Effective between the dates of 05/19/2008 and Permit Expiration Date**

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

**Item 20.1:**

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

Emission Unit: E-00001  
Process: 004 Source Classification Code: 1-02-006-02  
Process Description:  
Combustion of natural gas in three (3) industrial  
boilers.

Emission Source/Control: BLR01 - Combustion  
Design Capacity: 24.29 million Btu per hour

Emission Source/Control: BLR02 - Combustion  
Design Capacity: 24.29 million Btu per hour

Emission Source/Control: BLR03 - Combustion  
Design Capacity: 24.29 million Btu per hour

**Item 20.2:**

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

Emission Unit: E-00002  
Process: 001 Source Classification Code: 3-02-030-01  
Process Description:  
Tall Form Dryer is a spray dryer used to dry permeate  
generated from cheese manufacturing process. The natural  
gas fired dryer's burner is rated at maximum heat input  
capacity of 7.71 MMBtu per hour. The emissions exhaust  
through two (2) stacks with one (1) controlled by a  
baghouse and other one (1) controlled by a wet scrubber.  
Product collected in each control device is recycled back  
to the production line, therefore, each control device is



an integral part of the process.

Emission Source/Control: TFD01 - Combustion  
Design Capacity: 7.71 million Btu per hour

Emission Source/Control: TFD02 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: TFD03 - Control  
Control Type: WET SCRUBBER

**Item 20.3:**

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

Emission Unit: E-00002

Process: 002

Source Classification Code: 3-02-030-01

Process Description:

MSD dryer is a spray dryer used to dry WPC generated from cheese manufacturing process. The natural gas fired dryer's burner is rated at 3.85 MMBtu/hr. The emissions exhaust through one (1) stack equipped with a baghouse. Product collected in the baghouse is recycled back to the production line, therefore, the control device is an integral part of the process.

Emission Source/Control: MSD01 - Combustion  
Design Capacity: 3.85 million Btu per hour

Emission Source/Control: MSD02 - Control  
Control Type: FABRIC FILTER

**Item 20.4:**

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

Emission Unit: E-00002

Process: 003

Source Classification Code: 3-02-030-99

Process Description:

Dried product in the form of powder is conveyed to the packaging area for packaging. The emissions are controlled by one (1) baghouse. The product recovered is recycled back to the production line, therefore, the baghouse is an integral part of the system.

Emission Source/Control: PKG01 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: PKG02 - Process

New York State Department of Environmental Conservation

Permit ID: 6-2220-00008/02003

Facility DEC ID: 6222000008

