



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 6-4026-00001/00047  
Effective Date:

Expiration Date:

Permit Issued To: NEWTON FALLS FINE PAPER COMPANY LLC  
875 CO RTE 60  
NEWTON FALLS, NY 13666

Contact: DENNIS R BUNNELL  
NEWTON FALLS FINE PAPER COMPANY LLC  
875 CO RTE 60  
NEWTON FALLS, NY 13666  
(315) 848-3321

Facility: NEWTON FALLS PAPER MANUFACTURING PLANT  
875 CO RTE 60  
NEWTON FALLS, NY 13666

Contact: JAIMIE SALEIDO  
NEWTON FALLS FINE PAPER COMPANY LLC  
875 CO RTE 60  
NEWTON FALLS, NY 13666  
(315) 848-3321

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  
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 \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**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



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

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: NEWTON FALLS FINE PAPER COMPANY LLC  
875 CO RTE 60  
NEWTON FALLS, NY 13666

Facility: NEWTON FALLS PAPER MANUFACTURING PLANT  
875 CO RTE 60  
NEWTON FALLS, NY 13666

Authorized Activity By Standard Industrial Classification Code:  
2621 - PAPER MILLS EXC BUILDING PAPER

Permit Effective Date:

Permit 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 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-3.1(a): Exempt and Trivial Activities Applicability
- 24 6NYCRR 201-6: Emission Unit Definition
- 25 6NYCRR 201-7.2: Facility Permissible Emissions
- \*26 6NYCRR 201-7.2: Capping Monitoring Condition
- 27 6NYCRR 202-1.2: Notification
- 28 6NYCRR 202-1.3: Acceptable procedures
- 29 6NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
- 30 6NYCRR 212.4(c): Compliance Certification
- 31 6NYCRR 212.6(a): Compliance Certification
- 32 6NYCRR 212.6(a): Compliance Certification



- 33 6NYCRR 225-1.2(a)(2): Compliance Certification
- 34 6NYCRR 225-1.2(a)(2): Compliance Certification
- 35 6NYCRR 227-2.4(c)(2): Compliance Certification
- 36 6NYCRR 227-2.4(c)(2): Compliance Certification
- 37 6NYCRR 227.2(b)(1): Compliance Certification
- 38 6NYCRR 227.2(b)(1): Compliance Certification
- 39 6NYCRR 228.4: Compliance Certification
- 40 6NYCRR 228.7: Compliance Certification
- 41 40CFR 52.21(r)(6), Subpart A: Compliance Certification
- 42 40CFR 52.21(r)(6), Subpart A: Compliance Certification

**Emission Unit Level**

- 43 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 44 6NYCRR 201-6: Process Definition By Emission Unit
- 45 6NYCRR 201-7.2: Process Permissible Emissions

**EU=1-PAPER,Proc=PM3,ES=PAPM3**

- \*46 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=1-PAPER,Proc=PM4,ES=PAPM4**

- \*47 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=4-COMBU,EP=00001**

- 48 6NYCRR 227-1.3(a): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 49 ECL 19-0301: Contaminant List
- 50 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 51 6NYCRR 211.2: Air pollution prohibited

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

**Item A: 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 B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)**

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 -



Public Access to records and Section 114(c) of the Act.

- Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**  
Owners and/or operators of facilities having an issued Title V 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.
- Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**  
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**  
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**  
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)**  
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)**  
This permit does not convey any property rights of any



sort or any exclusive privilege.

**Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)**

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

**Item K: Reopening for Cause - 6 NYCRR Part 201-6.5(i)**

This Title V permit shall be reopened and revised under any of the following circumstances:



i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

**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







Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

(1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.



If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. 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. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in



the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: SEMI-ANNUALLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-6.5(e)**

**Item 6.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;
  - and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.

- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is



required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

State Office Building  
317 Washington Street  
Watertown, NY 13601-3787

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-2.1**

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.



**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Averaging Method: ANNUAL TOTAL

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-2.5**

**Item 8.1:**

(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 215**

**Item 9.1:**

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

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements**

**only if effectuated during the reporting period. [NOTE: The corresponding**



annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

**Condition 10: Maintenance of Equipment**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 200.7**

**Item 10.1:**

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.

**Condition 11: Recycling and Salvage**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-1.7**

**Item 11.1:**

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 the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-1.8**

**Item 12.1:**

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.

**Condition 13: Exempt Sources - Proof of Eligibility**  
**Effective for entire length of Permit**

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

**Item 13.1:**

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 this Subpart. 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 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.

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective for entire length of Permit**

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

**Item 14.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 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.

**Condition 15: Standard Requirement - Provide Information**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(4)**

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: General Condition - Right to Inspect**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(8)**

**Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and



(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Standard Requirements - Progress Reports**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(d)(5)**

**Item 17.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 18: Off Permit Changes**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(f)(6)**

**Item 18.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

- (i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
- (ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

**Condition 19: Required Emissions Tests**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-1.1**



**Item 19.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

**Condition 20: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 211.3**

**Item 20.1:**

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.

**Condition 21: Accidental release provisions.**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 68**

**Item 21.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
C/O CSC  
8400 Corporate Dr  
Carrollton, Md. 20785



**Condition 22: Recycling and Emissions Reduction**  
Effective for entire length of Permit

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 22.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 23: Exempt and Trivial Activities Applicability**  
Effective for entire length of Permit

**Applicable Federal Requirement:6NYCRR 201-3.1(a)**

**Item 23.1:**

If the facility owner and/or operator performs any of the exempt and trivial activities listed in 6 NYCRR Part 201-3.2(c) or 201-3.3(c), such activities are exempt from the permitting provisions of 6 NYCRR Part 201-5, but not from other Parts of 6 NYCRR Chapter III, or from applicable permitting requirements of local air pollution control agencies.

**Condition 24: Emission Unit Definition**  
Effective for entire length of Permit

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

**Item 24.1:**

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

Emission Unit: 1-OFFMC

Emission Unit Description:

This emission unit consists of one off-machine coater that coats paper produced on both paper machines #3 and #4. The coater includes four drying oven sections. Three sections are exhausted directly to atmosphere (EP 00032, EP 00033, and EP 00034) and one is exhausted into the room.

Building(s): MAIN

**Item 24.2:**

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

Emission Unit: 1-PAPER

Emission Unit Description:

This emission unit consists of paper machines #3 and #4. On paper machine 3, paper is formed and passes through three dryer sections which are exhausted to an economizer



and then to atmosphere (EP 00021). After the third dryer section, the paper is passed through a calendar prior to being rolled. The calendar is exhausted directly to atmosphere (EP 00020). On paper machine 4, paper passes through three dryer sections that are each exhausted by a separate economizer and exhaust stack (EP 00022, EP 00030, and EP 00031).

Building(s): MAIN

**Item 24.3:**

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

Emission Unit: 1-PREPA

Emission Unit Description:

This emission unit consists of one exhaust system servicing the abbe blenders, mixers, and ammonia totes that exhausts through one emission point (00017) and one titanium make-up tank that mixes titanium dioxide, and water. The titanium tank exhausts to atmosphere (EP 00018). The exhaust is directly above the tank.

Building(s): MAIN

**Item 24.4:**

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

Emission Unit: 4-COMBU

Emission Unit Description:

This emission unit consists of two # 6 oil fired boilers. Boilers 1 & 2, are both rated at 99 MMBtu/hr and provide steam for facility operations and building heat. The boilers are exhausted directly to the atmosphere through a common stack (EP 00001).

Building(s): BOILER

**Condition 25: Facility Permissible Emissions  
Effective for entire length of Permit**

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

**Item 25.1:**

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

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

CAS No: 007446-09-5

PTE: 1,766,000 pounds per year

Name: SULFUR DIOXIDE

**Condition 26: Capping Monitoring Condition  
Effective for entire length of Permit**



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

**Item 26.1:**

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

40CFR 52-A.21

**Item 26.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 26.3:**

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

**Item 26.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 26.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 26.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility emissions of sulfur dioxide shall not exceed 883 tons during any consecutive 12 month period. To demonstrate compliance with this limit the facility shall



perform the following:

Facility shall maintain records of the amount of each fuel burned, in each combustion source at the facility, on a monthly basis. At the end of each month facility owner shall utilize the monthly quantity of fuel burned and the corresponding sulfur content of the that fuel to calculate the monthly emissions of sulfur dioxide (SO<sub>2</sub>) by inserting that information into the equation below to generate a monthly sulfur dioxide emission rate. The monthly sulfur dioxide emissions shall be added to the previous 11 months of sulfur dioxide emissions to give a total sulfur dioxide emission rate over the most recent consecutive 12 month period. The sulfur dioxide emissions over any consecutive 12 month period shall not exceed 883 tons.

$$\text{Tons of sulfur dioxide emitted} = [(157 \times S_6 \times \text{FOB}) + (142 \times S_2 \times \text{FOE}) + (0.86 \times \text{WFP}) + (0.45 \times \text{DFP})]/2000$$

where:

S<sub>6</sub> = weight percent of sulfur in #6 fuel oil burned in boilers BCU01 & BCU02

S<sub>2</sub> = weight percent of sulfur in #2 fuel oil burned in exempt and trivial boilers

FOB = thousands of gallons of #6 fuel oil burned in boilers BCU01 & BCU02 during the month

FOE = thousands of gallons of #2 fuel oil burned in exempt and trivial boilers during the month

WFP = number of hours the warehouse fire pump operated during the month

DFP = number of hours the main dam fire pump operated during the month

When sufficient new evidence becomes available to substantiate changing the emission factors used in the above equation the Department will discuss modifying this condition with the applicant prior to making any changes to this condition.

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 883 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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

**Condition 27: Notification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-1.2**

**Item 27.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 28: Acceptable procedures**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-1.3**

**Item 28.1:**

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

**Condition 29: Acceptable procedures - Stack test report submittal**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-1.3**

**Item 29.1:**

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

**Condition 30: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 30.1:**

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

Emission Unit: 1-PAPER	Emission Point: 00020
Emission Unit: 1-PAPER	Emission Point: 00021
Emission Unit: 1-PAPER	Emission Point: 00022
Emission Unit: 1-PAPER	Emission Point: 00030



Emission Unit: 1-PAPER                      Emission Point: 00031

Emission Unit: 1-PREPA                      Emission Point: 00017

Emission Unit: 1-PREPA                      Emission Point: 00018

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

**Item 30.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates from the emission points specified in this condition 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. This standard applies to each emission point associated with emission units 1-PAPER & 1-PREPA.

Performance of the monitoring, record keeping, and reporting requirements contained in the permit condition for the opacity standard codified at 6 NYCRR Part 212.6(a), will constitute compliance with the particulate emission limit contained above unless an approved emissions test determines non-compliance.

The Department reserves the right to perform or require the performance of a particulate emissions test following EPA Reference Method 5 at any time while emission units 1-PAPER & 1-PREPA are in service at the facility.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: 0.050 grains per dscf  
Reference Test Method: EPA RM 5  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 31:      Compliance Certification  
                         Effective for entire length of Permit**

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

**Item 31.1:**

The Compliance Certification activity will be performed for the facility:



The Compliance Certification applies to:

Emission Unit: 1-PAPER	Emission Point: 00020
Emission Unit: 1-PAPER	Emission Point: 00021
Emission Unit: 1-PAPER	Emission Point: 00022
Emission Unit: 1-PAPER	Emission Point: 00030
Emission Unit: 1-PAPER	Emission Point: 00031
Emission Unit: 1-PREPA	Emission Point: 00017
Emission Unit: 1-PREPA	Emission Point: 00018

**Item 31.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Facility shall not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of an EPA Reference Method 9 opacity evaluation at any time during facility operation. This standard applies to each emission point associated with emission units 1-PAPER & 1-PREPA.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 32: Compliance Certification  
Effective for entire length of Permit**

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

**Item 32.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-PAPER	Emission Point: 00020
------------------------	-----------------------



Emission Unit: 1-PAPER	Emission Point: 00021
Emission Unit: 1-PAPER	Emission Point: 00022
Emission Unit: 1-PAPER	Emission Point: 00030
Emission Unit: 1-PAPER	Emission Point: 00031
Emission Unit: 1-PREPA	Emission Point: 00017
Emission Unit: 1-PREPA	Emission Point: 00018

**Item 32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee will conduct observations of visible emissions, from each emission point associated with emission units 1-PAPER & 1-PREPA, at the monitoring frequency stated below while they are in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from an emission source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission points) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify the Department and conduct an EPA Reference Method 9 assessment within 24 hours to determine the degree of opacity.

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.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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



**Condition 33: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 225-1.2(a)(2)**

**Item 33.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any distillate fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 34: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 225-1.2(a)(2)**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any residual fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.





Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 36: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6NYCRR 227-2.4(c)(2)**

**Item 36.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 4-COMBU

Process: CB1

Emission Source: BCU02

Emission Unit: 4-COMBU

Process: CB1

Emission Source: BCU01

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The one hour average emission of oxides of nitrogen from each stationary combustion installation shall not exceed 0.30 pounds per million Btu of heat input.

At the monitoring frequency stated below the facility shall perform the following:

1) Submit to the Department an acceptable protocol for the testing of oxides of nitrogen emissions in a manner that will determine compliance with the limit cited in this condition.

2) Perform a stack test, based upon the approved test protocol, to determine compliance with the oxides of nitrogen emission limit cited in this condition.

3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.

4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5







Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 39: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 228.4**

**Item 39.1:**

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

Emission Unit: 1-OFFMC	Emission Point: 00032
Emission Unit: 1-OFFMC	Emission Point: 00033
Emission Unit: 1-OFFMC	Emission Point: 00034

**Item 39.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 40: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 228.7**





Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility shall maintain records of the amount of each fuel burned, in each combustion source at the facility, on a monthly basis. At the end of each month facility owner shall utilize the monthly quantity of fuel burned to calculate the monthly emissions of particulate matter less than 10 microns in diameter (PM-10) by inserting that information into the equation below to generate a monthly PM-10 emission rate. The monthly PM-10 emissions shall be added to the previous 11 months of PM-10 emissions to give a total PM-10 emission rate over the most recent consecutive 12 month period.

$$\text{Tons of PM-10 emitted} = [(P1 \times FO1) + (P2 \times FO2) + (2.0 \times FOE) + (0.92 \times WFP) + (0.48 \times DFP)]/2000$$

where:

P1 = particulate emission factor (pounds/thousand gallons)

for boiler BCU01 from most recent stack test

P2 = particulate emission factor (pounds/thousand gallons)

for boiler BCU02 from most recent stack test

FO1 = thousands of gallons of #6 fuel oil burned in boiler BCU01 during the month

FO2 = thousands of gallons of #6 fuel oil burned in boiler BCU02 during the month

FOE = thousands of gallons of #2 fuel oil burned in exempt and trivial boilers during the month

WFP = number of hours the warehouse fire pump operated during the month

DFP = number of hours the main dam fire pump operated during the month

When sufficient new evidence becomes available to substantiate changing the emission factors used in the above equation the Department will discuss modifying this condition with the applicant prior to making any changes to this condition.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 42: Compliance Certification**



**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 52.21(r)(6), Subpart A**

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility shall maintain records of the amount of each fuel burned, in each combustion source at the facility, on a monthly basis. At the end of each month facility owner shall utilize the monthly quantity of fuel burned to calculate the monthly emissions of oxides of nitrogen (NO<sub>x</sub>) by inserting that information into the equation below to generate a monthly NO<sub>x</sub> emission rate. The monthly NO<sub>x</sub> emissions shall be added to the previous 11 months of NO<sub>x</sub> emissions to give a total NO<sub>x</sub> emission rate over the most recent consecutive 12 month period.

$$\text{Tons of NO}_x \text{ emitted} = [(N1 \times FO1) + (N2 \times FO2) + (20 \times FOE) + (13.02 \times WFP) + (6.82 \times DFP)]/2000$$

where:

N1 = NO<sub>x</sub> emission factor (pounds/thousand gallons) for boiler BCU01 from most recent stack test

N2 = NO<sub>x</sub> emission factor (pounds/thousand gallons) for boiler BCU02 from most recent stack test

FO1 = thousands of gallons of #6 fuel oil burned in boiler BCU01 during the month

FO2 = thousands of gallons of #6 fuel oil burned in boiler BCU02 during the month

FOE = thousands of gallons of #2 fuel oil burned in exempt and trivial boilers during the month

WFP = number of hours the warehouse fire pump operated during the month

DFP = number of hours the main dam fire pump operated during the month

When sufficient new evidence becomes available to



substantiate changing the emission factors used in the above equation the Department will discuss modifying this condition with the applicant prior to making any changes to this condition.

Monitoring Frequency: MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

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

**Condition 43: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 43.1:**

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

Emission Unit: 1-OFFMC

Emission Point: 00032

Height (ft.): 57 Length (in.): 38 Width (in.): 22  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00033

Height (ft.): 57 Length (in.): 38 Width (in.): 22  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00034

Height (ft.): 61 Length (in.): 38 Width (in.): 22  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

**Item 43.2:**

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

Emission Unit: 1-PAPER

Emission Point: 00020

Height (ft.): 65 Diameter (in.): 45  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00021

Height (ft.): 59 Length (in.): 47 Width (in.): 64  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00022

Height (ft.): 71 Length (in.): 34 Width (in.): 47



NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00030

Height (ft.): 69

Diameter (in.): 46

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00031

Height (ft.): 71

Length (in.): 47

Width (in.): 47

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

**Item 43.3:**

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

Emission Unit: 1-PREPA

Emission Point: 00017

Height (ft.): 44

Diameter (in.): 42

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00018

Height (ft.): 39

Diameter (in.): 24

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

**Item 43.4:**

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

Emission Unit: 4-COMBU

Emission Point: 00001

Height (ft.): 75

Diameter (in.): 72

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: BOILER

**Condition 44: Process Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 44.1:**

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

Emission Unit: 1-OFFMC

Process: OMC

Source Classification Code: 4-02-007-10

Process Description:

This process consists of one off-machine coater that applies coating to paper produced from paper machines #3 and #4 and consists of three emission points.

Emission Source/Control: OMC01 - Process

**Item 44.2:**

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



Emission Unit: 1-PAPER

Process: PM3

Source Classification Code: 3-07-004-99

Process Description:

This process consists of paper machine #3. The paper is formed and passes through three dryer sections which are exhausted to an economizer and then to the atmosphere at emission point 00021. After the third drying section, it proceeds through a calendar prior to being rolled. The calendar is exhausted directly to the atmosphere at emission point 00020.

Emission Source/Control: PAPM3 - Process

**Item 44.3:**

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

Emission Unit: 1-PAPER

Process: PM4

Source Classification Code: 4-02-011-21

Process Description:

This process consists of paper machine #4. The paper is formed and passes through dryer sections. Each dryer section is exhausted by a separate economizer and exhaust stack at emission points 00022, 00030, and 00031.

Emission Source/Control: PAPM4 - Process

**Item 44.4:**

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

Emission Unit: 1-PREPA

Process: CK1

Source Classification Code: 3-07-004-07

Process Description:

Process CK1 consists of the coating preparation area where coating formulations are prepared for both paper machines and the off-machine coater. The exhaust system servicing the abbe blenders, mixers, and ammonia totes exhausts through emission point 00017.

Emission Source/Control: COATK - Process

**Item 44.5:**

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

Emission Unit: 1-PREPA

Process: TMR

Source Classification Code: 3-07-002-13

Process Description:

Process TMR consists of a titanium make-up tank that mixes titanium dioxide, and water. A general ventilation



room exhaust located directly above the tank exhausts particulate emissions to the atmosphere at emission point 00018.

Emission Source/Control: TITMT - Process

**Item 44.6:**

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

Emission Unit: 4-COMBU

Process: CB1

Source Classification Code: 4-02-040-04

Process Description:

This process consists of two #6 oil fired boilers (Boilers 1 and 2) that provide steam for space heating and daily process use. Boilers 1 and 2 are identical units rated at 99 MMbtu/hr and serve as the primary steam generators.

Emission Source/Control: BCU01 - Combustion

Design Capacity: 99 million Btu per hour

Emission Source/Control: BCU02 - Combustion

Design Capacity: 99 million Btu per hour

**Condition 45: Process Permissible Emissions  
Effective for entire length of Permit**

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

**Item 45.1:**

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

Emission Unit: 1-PAPER Process: PM3

CAS No: 0NY998-00-0  
Name: VOC  
PTE(s): 57,400 pounds per year

Emission Unit: 1-PAPER Process: PM4

CAS No: 0NY998-00-0  
Name: VOC  
PTE(s): 56,400 pounds per year

**Condition 46: Capping Monitoring Condition  
Effective for entire length of Permit**

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





limit stated below. The facility will determine VOC emissions by using mass balance calculations on materials used during the process and assume that all raw material VOC used at PAPM3 are emitted from the emission source.

Facility must continue to investigate VOC RACT strategies for this process and submit an updated VOC RACT demonstration as part of its Title V renewal application. The demonstration must include an evaluation of the possibility of reformulation, abatement technology and/or process modification.

Compliance with this condition shall constitute compliance with the VOC RACT requirements as required in 6 NYCRR Part 212.10.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: RAW MATERIAL  
Parameter Monitored: VOC CONTENT  
Upper Permit Limit: 28.7 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 47: Capping Monitoring Condition**  
**Effective for entire length of Permit**

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

**Item 47.1:**

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

6 NYCRR 212.10(c)(4)(iii)

**Item 47.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 47.3:**

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



**Item 47.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 47.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 47.6:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-PAPER

Process: PM4

Emission Source: PAPM4

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 47.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

This source is operating under a VOC RACT variance because of an economic infeasibility. VOC emissions from emission source PAPM4 must be maintained below the upper limit stated below. The facility will determine VOC emissions by using mass balance calculations on materials used during the process and assume that all raw material VOC used at PAPM4 are emitted from the emission source.

Facility must continue to investigate VOC RACT strategies for this process and submit an updated VOC RACT demonstration as part of its Title V renewal application. The demonstration must include an evaluation of the possibility of reformulation, abatement technology and/or process modification.

Compliance with this condition shall constitute compliance with the VOC RACT requirements as required in 6 NYCRR Part 212.10.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RAW MATERIAL



Parameter Monitored: VOC CONTENT  
Upper Permit Limit: 28.2 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 48: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 4-COMBU      Emission Point: 00001

**Item 48.2:**

Compliance Certification 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: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 6 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: 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 applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 49: Contaminant List  
Effective for entire length of Permit**

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

**Item 49.1:**

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

CAS No: 007446-09-5

Name: SULFUR DIOXIDE



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

CAS No: 0NY075-00-5  
Name: PM-10

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0  
Name: VOC

**Condition 50: Unavoidable noncompliance and violations  
Effective for entire length of Permit**

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

**Item 50.1:**

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 51: Air pollution prohibited  
Effective for entire length of Permit**

**Applicable State Requirement:6NYCRR 211.2**

**Item 51.1:**

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.

New York State Department of Environmental Conservation

Permit ID: 6-4026-00001/00047

Facility DEC ID: 6402600001





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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 6-4026-00001/00047  
Effective Date:

Expiration Date:

Permit Issued To: NEWTON FALLS FINE PAPER COMPANY LLC  
875 CO RTE 60  
NEWTON FALLS, NY 13666

Contact: DENNIS R BUNNELL  
NEWTON FALLS FINE PAPER COMPANY LLC  
875 CO RTE 60  
NEWTON FALLS, NY 13666  
(315) 848-3321

Facility: NEWTON FALLS PAPER MANUFACTURING PLANT  
875 CO RTE 60  
NEWTON FALLS, NY 13666

Contact: JAIMIE SALEIDO  
NEWTON FALLS FINE PAPER COMPANY LLC  
875 CO RTE 60  
NEWTON FALLS, NY 13666  
(315) 848-3321

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  
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 \*\*\*\***

**For the purpose of your Title V permit, the following section contains  
state-only enforceable terms and conditions.**

**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



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

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: NEWTON FALLS FINE PAPER COMPANY LLC  
875 CO RTE 60  
NEWTON FALLS, NY 13666

Facility: NEWTON FALLS PAPER MANUFACTURING PLANT  
875 CO RTE 60  
NEWTON FALLS, NY 13666

Authorized Activity By Standard Industrial Classification Code:  
2621 - PAPER MILLS EXC BUILDING PAPER

Permit Effective Date:

Permit 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 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-3.1(a): Exempt and Trivial Activities Applicability
- 24 6NYCRR 201-6: Emission Unit Definition
- 25 6NYCRR 201-7.2: Facility Permissible Emissions
- \*26 6NYCRR 201-7.2: Capping Monitoring Condition
- 27 6NYCRR 202-1.2: Notification
- 28 6NYCRR 202-1.3: Acceptable procedures
- 29 6NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
- 30 6NYCRR 212.4(c): Compliance Certification
- 31 6NYCRR 212.6(a): Compliance Certification
- 32 6NYCRR 212.6(a): Compliance Certification



- 33 6NYCRR 225-1.2(a)(2): Compliance Certification
- 34 6NYCRR 225-1.2(a)(2): Compliance Certification
- 35 6NYCRR 227-2.4(c)(2): Compliance Certification
- 36 6NYCRR 227-2.4(c)(2): Compliance Certification
- 37 6NYCRR 227.2(b)(1): Compliance Certification
- 38 6NYCRR 227.2(b)(1): Compliance Certification
- 39 6NYCRR 228.4: Compliance Certification
- 40 6NYCRR 228.7: Compliance Certification
- 41 40CFR 52.21(r)(6), Subpart A: Compliance Certification
- 42 40CFR 52.21(r)(6), Subpart A: Compliance Certification

**Emission Unit Level**

- 43 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 44 6NYCRR 201-6: Process Definition By Emission Unit
- 45 6NYCRR 201-7.2: Process Permissible Emissions

**EU=1-PAPER,Proc=PM3,ES=PAPM3**

- \*46 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=1-PAPER,Proc=PM4,ES=PAPM4**

- \*47 6NYCRR 201-7.2: Capping Monitoring Condition

**EU=4-COMBU,EP=00001**

- 48 6NYCRR 227-1.3(a): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 49 ECL 19-0301: Contaminant List
- 50 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 51 6NYCRR 211.2: Air pollution prohibited

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

**Item A: 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 B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)**

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 -



Public Access to records and Section 114(c) of the Act.

- Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**  
Owners and/or operators of facilities having an issued Title V 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.
- Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**  
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**  
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**  
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)**  
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)**  
This permit does not convey any property rights of any



sort or any exclusive privilege.

**Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)**

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

**Item K: Reopening for Cause - 6 NYCRR Part 201-6.5(i)**

This Title V permit shall be reopened and revised under any of the following circumstances:



i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

**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.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.**

**Condition 1: Acceptable Ambient Air Quality  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 200.6**

**Item 1.1:**  
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.

**Condition 2: Fees  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(7)**

**Item 2.1:**  
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.





Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

(1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.



If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. 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. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in



the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: SEMI-ANNUALLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-6.5(e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.

- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is



required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

State Office Building  
317 Washington Street  
Watertown, NY 13601-3787

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-2.1**

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.



**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Averaging Method: ANNUAL TOTAL

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-2.5**

**Item 8.1:**

(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 215**

**Item 9.1:**

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

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements**

**only if effectuated during the reporting period. [NOTE: The corresponding**



annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

**Condition 10: Maintenance of Equipment**  
Effective for entire length of Permit

**Applicable Federal Requirement:6NYCRR 200.7**

**Item 10.1:**

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.

**Condition 11: Recycling and Salvage**  
Effective for entire length of Permit

**Applicable Federal Requirement:6NYCRR 201-1.7**

**Item 11.1:**

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 the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
Effective for entire length of Permit

**Applicable Federal Requirement:6NYCRR 201-1.8**

**Item 12.1:**

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.

**Condition 13: Exempt Sources - Proof of Eligibility**  
Effective for entire length of Permit

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

**Item 13.1:**

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 this Subpart. 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 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.

**Condition 14: Trivial Sources - Proof of Eligibility  
Effective for entire length of Permit**

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

**Item 14.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 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.

**Condition 15: Standard Requirement - Provide Information  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(4)**

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: General Condition - Right to Inspect  
Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(8)**

**Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and



(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Standard Requirements - Progress Reports**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(d)(5)**

**Item 17.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 18: Off Permit Changes**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 201-6.5(f)(6)**

**Item 18.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

- (i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
- (ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

**Condition 19: Required Emissions Tests**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-1.1**



**Item 19.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

**Condition 20: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 211.3**

**Item 20.1:**

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.

**Condition 21: Accidental release provisions.**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 68**

**Item 21.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
C/O CSC  
8400 Corporate Dr  
Carrollton, Md. 20785



**Condition 22: Recycling and Emissions Reduction**  
Effective for entire length of Permit

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 22.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 23: Exempt and Trivial Activities Applicability**  
Effective for entire length of Permit

**Applicable Federal Requirement:6NYCRR 201-3.1(a)**

**Item 23.1:**

If the facility owner and/or operator performs any of the exempt and trivial activities listed in 6 NYCRR Part 201-3.2(c) or 201-3.3(c), such activities are exempt from the permitting provisions of 6 NYCRR Part 201-5, but not from other Parts of 6 NYCRR Chapter III, or from applicable permitting requirements of local air pollution control agencies.

**Condition 24: Emission Unit Definition**  
Effective for entire length of Permit

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

**Item 24.1:**

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

Emission Unit: 1-OFFMC

Emission Unit Description:

This emission unit consists of one off-machine coater that coats paper produced on both paper machines #3 and #4. The coater includes four drying oven sections. Three sections are exhausted directly to atmosphere (EP 00032, EP 00033, and EP 00034) and one is exhausted into the room.

Building(s): MAIN

**Item 24.2:**

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

Emission Unit: 1-PAPER

Emission Unit Description:

This emission unit consists of paper machines #3 and #4. On paper machine 3, paper is formed and passes through three dryer sections which are exhausted to an economizer



and then to atmosphere (EP 00021). After the third dryer section, the paper is passed through a calendar prior to being rolled. The calendar is exhausted directly to atmosphere (EP 00020). On paper machine 4, paper passes through three dryer sections that are each exhausted by a separate economizer and exhaust stack (EP 00022, EP 00030, and EP 00031).

Building(s): MAIN

**Item 24.3:**

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

Emission Unit: 1-PREPA

Emission Unit Description:

This emission unit consists of one exhaust system servicing the abbe blenders, mixers, and ammonia totes that exhausts through one emission point (00017) and one titanium make-up tank that mixes titanium dioxide, and water. The titanium tank exhausts to atmosphere (EP 00018). The exhaust is directly above the tank.

Building(s): MAIN

**Item 24.4:**

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

Emission Unit: 4-COMBU

Emission Unit Description:

This emission unit consists of two # 6 oil fired boilers. Boilers 1 & 2, are both rated at 99 MMBtu/hr and provide steam for facility operations and building heat. The boilers are exhausted directly to the atmosphere through a common stack (EP 00001).

Building(s): BOILER

**Condition 25: Facility Permissible Emissions  
Effective for entire length of Permit**

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

**Item 25.1:**

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

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

CAS No: 007446-09-5

PTE: 1,766,000 pounds per year

Name: SULFUR DIOXIDE

**Condition 26: Capping Monitoring Condition  
Effective for entire length of Permit**



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

**Item 26.1:**

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

40CFR 52-A.21

**Item 26.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 26.3:**

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

**Item 26.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 26.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 26.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility emissions of sulfur dioxide shall not exceed 883 tons during any consecutive 12 month period. To demonstrate compliance with this limit the facility shall



perform the following:

Facility shall maintain records of the amount of each fuel burned, in each combustion source at the facility, on a monthly basis. At the end of each month facility owner shall utilize the monthly quantity of fuel burned and the corresponding sulfur content of the that fuel to calculate the monthly emissions of sulfur dioxide (SO<sub>2</sub>) by inserting that information into the equation below to generate a monthly sulfur dioxide emission rate. The monthly sulfur dioxide emissions shall be added to the previous 11 months of sulfur dioxide emissions to give a total sulfur dioxide emission rate over the most recent consecutive 12 month period. The sulfur dioxide emissions over any consecutive 12 month period shall not exceed 883 tons.

$$\text{Tons of sulfur dioxide emitted} = [(157 \times S_6 \times \text{FOB}) + (142 \times S_2 \times \text{FOE}) + (0.86 \times \text{WFP}) + (0.45 \times \text{DFP})] / 2000$$

where:

S<sub>6</sub> = weight percent of sulfur in #6 fuel oil burned in boilers BCU01 & BCU02

S<sub>2</sub> = weight percent of sulfur in #2 fuel oil burned in exempt and trivial boilers

FOB = thousands of gallons of #6 fuel oil burned in boilers BCU01 & BCU02 during the month

FOE = thousands of gallons of #2 fuel oil burned in exempt and trivial boilers during the month

WFP = number of hours the warehouse fire pump operated during the month

DFP = number of hours the main dam fire pump operated during the month

When sufficient new evidence becomes available to substantiate changing the emission factors used in the above equation the Department will discuss modifying this condition with the applicant prior to making any changes to this condition.

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 883 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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

**Condition 27: Notification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-1.2**

**Item 27.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 28: Acceptable procedures**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-1.3**

**Item 28.1:**

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

**Condition 29: Acceptable procedures - Stack test report submittal**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 202-1.3**

**Item 29.1:**

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

**Condition 30: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 30.1:**

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

Emission Unit: 1-PAPER	Emission Point: 00020
Emission Unit: 1-PAPER	Emission Point: 00021
Emission Unit: 1-PAPER	Emission Point: 00022
Emission Unit: 1-PAPER	Emission Point: 00030





The Compliance Certification applies to:

Emission Unit: 1-PAPER	Emission Point: 00020
Emission Unit: 1-PAPER	Emission Point: 00021
Emission Unit: 1-PAPER	Emission Point: 00022
Emission Unit: 1-PAPER	Emission Point: 00030
Emission Unit: 1-PAPER	Emission Point: 00031
Emission Unit: 1-PREPA	Emission Point: 00017
Emission Unit: 1-PREPA	Emission Point: 00018

**Item 31.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Facility shall not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of an EPA Reference Method 9 opacity evaluation at any time during facility operation. This standard applies to each emission point associated with emission units 1-PAPER & 1-PREPA.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 32: Compliance Certification  
Effective for entire length of Permit**

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

**Item 32.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-PAPER	Emission Point: 00020
------------------------	-----------------------



Emission Unit: 1-PAPER	Emission Point: 00021
Emission Unit: 1-PAPER	Emission Point: 00022
Emission Unit: 1-PAPER	Emission Point: 00030
Emission Unit: 1-PAPER	Emission Point: 00031
Emission Unit: 1-PREPA	Emission Point: 00017
Emission Unit: 1-PREPA	Emission Point: 00018

**Item 32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee will conduct observations of visible emissions, from each emission point associated with emission units 1-PAPER & 1-PREPA, at the monitoring frequency stated below while they are in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from an emission source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission points) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify the Department and conduct an EPA Reference Method 9 assessment within 24 hours to determine the degree of opacity.

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.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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



**Condition 33: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 225-1.2(a)(2)**

**Item 33.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any distillate fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 34: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 225-1.2(a)(2)**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any residual fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.





Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 36: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6NYCRR 227-2.4(c)(2)**

**Item 36.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 4-COMBU

Process: CB1

Emission Source: BCU02

Emission Unit: 4-COMBU

Process: CB1

Emission Source: BCU01

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The one hour average emission of oxides of nitrogen from each stationary combustion installation shall not exceed 0.30 pounds per million Btu of heat input.

At the monitoring frequency stated below the facility shall perform the following:

1) Submit to the Department an acceptable protocol for the testing of oxides of nitrogen emissions in a manner that will determine compliance with the limit cited in this condition.

2) Perform a stack test, based upon the approved test protocol, to determine compliance with the oxides of nitrogen emission limit cited in this condition.

3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.

4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5







Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 39: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 228.4**

**Item 39.1:**

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

Emission Unit: 1-OFFMC	Emission Point: 00032
Emission Unit: 1-OFFMC	Emission Point: 00033
Emission Unit: 1-OFFMC	Emission Point: 00034

**Item 39.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 40: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6NYCRR 228.7**





Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility shall maintain records of the amount of each fuel burned, in each combustion source at the facility, on a monthly basis. At the end of each month facility owner shall utilize the monthly quantity of fuel burned to calculate the monthly emissions of particulate matter less than 10 microns in diameter (PM-10) by inserting that information into the equation below to generate a monthly PM-10 emission rate. The monthly PM-10 emissions shall be added to the previous 11 months of PM-10 emissions to give a total PM-10 emission rate over the most recent consecutive 12 month period.

$$\text{Tons of PM-10 emitted} = [(P1 \times FO1) + (P2 \times FO2) + (2.0 \times FOE) + (0.92 \times WFP) + (0.48 \times DFP)]/2000$$

where:

P1 = particulate emission factor (pounds/thousand gallons) for boiler BCU01 from most recent stack test  
P2 = particulate emission factor (pounds/thousand gallons) for boiler BCU02 from most recent stack test  
FO1 = thousands of gallons of #6 fuel oil burned in boiler BCU01 during the month  
FO2 = thousands of gallons of #6 fuel oil burned in boiler BCU02 during the month  
FOE = thousands of gallons of #2 fuel oil burned in exempt and trivial boilers during the month  
WFP = number of hours the warehouse fire pump operated during the month  
DFP = number of hours the main dam fire pump operated during the month

When sufficient new evidence becomes available to substantiate changing the emission factors used in the above equation the Department will discuss modifying this condition with the applicant prior to making any changes to this condition.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 42: Compliance Certification**



**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 52.21(r)(6), Subpart A**

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility shall maintain records of the amount of each fuel burned, in each combustion source at the facility, on a monthly basis. At the end of each month facility owner shall utilize the monthly quantity of fuel burned to calculate the monthly emissions of oxides of nitrogen (NO<sub>x</sub>) by inserting that information into the equation below to generate a monthly NO<sub>x</sub> emission rate. The monthly NO<sub>x</sub> emissions shall be added to the previous 11 months of NO<sub>x</sub> emissions to give a total NO<sub>x</sub> emission rate over the most recent consecutive 12 month period.

$$\text{Tons of NO}_x \text{ emitted} = [(N1 \times FO1) + (N2 \times FO2) + (20 \times FOE) + (13.02 \times WFP) + (6.82 \times DFP)]/2000$$

where:

N1 = NO<sub>x</sub> emission factor (pounds/thousand gallons) for boiler BCU01 from most recent stack test

N2 = NO<sub>x</sub> emission factor (pounds/thousand gallons) for boiler BCU02 from most recent stack test

FO1 = thousands of gallons of #6 fuel oil burned in boiler BCU01 during the month

FO2 = thousands of gallons of #6 fuel oil burned in boiler BCU02 during the month

FOE = thousands of gallons of #2 fuel oil burned in exempt and trivial boilers during the month

WFP = number of hours the warehouse fire pump operated during the month

DFP = number of hours the main dam fire pump operated during the month

When sufficient new evidence becomes available to



substantiate changing the emission factors used in the above equation the Department will discuss modifying this condition with the applicant prior to making any changes to this condition.

Monitoring Frequency: MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

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

**Condition 43: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 43.1:**

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

Emission Unit: 1-OFFMC

Emission Point: 00032

Height (ft.): 57 Length (in.): 38 Width (in.): 22  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00033

Height (ft.): 57 Length (in.): 38 Width (in.): 22  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00034

Height (ft.): 61 Length (in.): 38 Width (in.): 22  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

**Item 43.2:**

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

Emission Unit: 1-PAPER

Emission Point: 00020

Height (ft.): 65 Diameter (in.): 45  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00021

Height (ft.): 59 Length (in.): 47 Width (in.): 64  
NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00022

Height (ft.): 71 Length (in.): 34 Width (in.): 47



NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00030

Height (ft.): 69

Diameter (in.): 46

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00031

Height (ft.): 71

Length (in.): 47

Width (in.): 47

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

**Item 43.3:**

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

Emission Unit: 1-PREPA

Emission Point: 00017

Height (ft.): 44

Diameter (in.): 42

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

Emission Point: 00018

Height (ft.): 39

Diameter (in.): 24

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: MAIN

**Item 43.4:**

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

Emission Unit: 4-COMBU

Emission Point: 00001

Height (ft.): 75

Diameter (in.): 72

NYTMN (km.): 4895.623 NYTME (km.): 500.729 Building: BOILER

**Condition 44: Process Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 44.1:**

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

Emission Unit: 1-OFFMC

Process: OMC

Source Classification Code: 4-02-007-10

Process Description:

This process consists of one off-machine coater that applies coating to paper produced from paper machines #3 and #4 and consists of three emission points.

Emission Source/Control: OMC01 - Process

**Item 44.2:**

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



Emission Unit: 1-PAPER

Process: PM3

Source Classification Code: 3-07-004-99

Process Description:

This process consists of paper machine #3. The paper is formed and passes through three dryer sections which are exhausted to an economizer and then to the atmosphere at emission point 00021. After the third drying section, it proceeds through a calendar prior to being rolled. The calendar is exhausted directly to the atmosphere at emission point 00020.

Emission Source/Control: PAPM3 - Process

**Item 44.3:**

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

Emission Unit: 1-PAPER

Process: PM4

Source Classification Code: 4-02-011-21

Process Description:

This process consists of paper machine #4. The paper is formed and passes through dryer sections. Each dryer section is exhausted by a separate economizer and exhaust stack at emission points 00022, 00030, and 00031.

Emission Source/Control: PAPM4 - Process

**Item 44.4:**

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

Emission Unit: 1-PREPA

Process: CK1

Source Classification Code: 3-07-004-07

Process Description:

Process CK1 consists of the coating preparation area where coating formulations are prepared for both paper machines and the off-machine coater. The exhaust system servicing the abbe blenders, mixers, and ammonia totes exhausts through emission point 00017.

Emission Source/Control: COATK - Process

**Item 44.5:**

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

Emission Unit: 1-PREPA

Process: TMR

Source Classification Code: 3-07-002-13

Process Description:

Process TMR consists of a titanium make-up tank that mixes titanium dioxide, and water. A general ventilation



room exhaust located directly above the tank exhausts particulate emissions to the atmosphere at emission point 00018.

Emission Source/Control: TITMT - Process

**Item 44.6:**

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

Emission Unit: 4-COMBU

Process: CB1

Source Classification Code: 4-02-040-04

Process Description:

This process consists of two #6 oil fired boilers (Boilers 1 and 2) that provide steam for space heating and daily process use. Boilers 1 and 2 are identical units rated at 99 MMbtu/hr and serve as the primary steam generators.

Emission Source/Control: BCU01 - Combustion

Design Capacity: 99 million Btu per hour

Emission Source/Control: BCU02 - Combustion

Design Capacity: 99 million Btu per hour

**Condition 45: Process Permissible Emissions  
Effective for entire length of Permit**

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

**Item 45.1:**

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

Emission Unit: 1-PAPER Process: PM3

CAS No: 0NY998-00-0  
Name: VOC  
PTE(s): 57,400 pounds per year

Emission Unit: 1-PAPER Process: PM4

CAS No: 0NY998-00-0  
Name: VOC  
PTE(s): 56,400 pounds per year

**Condition 46: Capping Monitoring Condition  
Effective for entire length of Permit**

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



**Item 46.1:**

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

6NYCRR 212.10(c)(4)(iii)

**Item 46.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 46.3:**

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

**Item 46.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 46.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 46.6:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-PAPER

Process: PM3

Emission Source: PAPM3

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 46.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

This source is operating under a VOC RACT variance because of an economic infeasibility. VOC emissions from emission source PAPM3 must be maintained below the upper



limit stated below. The facility will determine VOC emissions by using mass balance calculations on materials used during the process and assume that all raw material VOC used at PAPM3 are emitted from the emission source.

Facility must continue to investigate VOC RACT strategies for this process and submit an updated VOC RACT demonstration as part of its Title V renewal application. The demonstration must include an evaluation of the possibility of reformulation, abatement technology and/or process modification.

Compliance with this condition shall constitute compliance with the VOC RACT requirements as required in 6 NYCRR Part 212.10.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RAW MATERIAL

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 28.7 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 47: Capping Monitoring Condition  
Effective for entire length of Permit**

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

**Item 47.1:**

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

6 NYCRR 212.10(c)(4)(iii)

**Item 47.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 47.3:**

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



**Item 47.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 47.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 47.6:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-PAPER

Process: PM4

Emission Source: PAPM4

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 47.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

This source is operating under a VOC RACT variance because of an economic infeasibility. VOC emissions from emission source PAPM4 must be maintained below the upper limit stated below. The facility will determine VOC emissions by using mass balance calculations on materials used during the process and assume that all raw material VOC used at PAPM4 are emitted from the emission source.

Facility must continue to investigate VOC RACT strategies for this process and submit an updated VOC RACT demonstration as part of its Title V renewal application. The demonstration must include an evaluation of the possibility of reformulation, abatement technology and/or process modification.

Compliance with this condition shall constitute compliance with the VOC RACT requirements as required in 6 NYCRR Part 212.10.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RAW MATERIAL



Parameter Monitored: VOC CONTENT  
Upper Permit Limit: 28.2 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 48: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 4-COMBU      Emission Point: 00001

**Item 48.2:**

Compliance Certification 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: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 6 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: 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 applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 49: Contaminant List  
Effective for entire length of Permit**

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

**Item 49.1:**

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

CAS No: 007446-09-5

Name: SULFUR DIOXIDE



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

CAS No: 0NY075-00-5  
Name: PM-10

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0  
Name: VOC

**Condition 50: Unavoidable noncompliance and violations  
Effective for entire length of Permit**

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

**Item 50.1:**

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 51: Air pollution prohibited  
Effective for entire length of Permit**

**Applicable State Requirement:6NYCRR 211.2**

**Item 51.1:**

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.

New York State Department of Environmental Conservation

Permit ID: 6-4026-00001/00047

Facility DEC ID: 6402600001

