



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 8-2654-00064/01201  
Effective Date: 11/22/2010                      Expiration Date: No expiration date

Permit Issued To: XEROX CORPORATION  
45 GLOVER AVE  
NORWALK, CT 06850-1600

Facility: XEROX JOSEPH C WILSON CTR FOR TECHNOLOGY  
800 PHILLIPS RD  
WEBSTER, NY 14580

Contact: GREGORY A SMITH  
XEROX CORP  
800 PHILLIPS RD, BUILDING 205  
WEBSTER, NY 14580

Description:  
Air State Facility Permit to authorize expansion and production startup of Emission Aggregate (EA) Toner production operations with a new third reactor line in Building 216.

Continued operation of the expanded source and current facility operations will be authorized by the Title V Facility Permit, currently in the process of renewal. Conditions in this Permit will be incorporated into the renewed Title V Permit.

This facility is subject to 6 NYCRR Part 201-6 (Title V) due to potential emissions of NO<sub>x</sub>, SO<sub>2</sub>, and PM in excess of 100 tons per year, VOC in excess of 50 tons per year, total HAP in excess of 25 tons per year, and the HAP methylene chloride in excess of 10 tons per year.

This facility is also an Existing Major Facility as defined in 40 CFR 52.21 PSD and 6 NYCRR Part 231 New Source Review (NSR). It is subject to PSD and NSR Subpart 231-6 for Modifications to Existing Major Facilities within the Ozone Transport Region due to emissions of NO<sub>x</sub> in excess of 250 tons per year, and is subject to PSD and NSR Subpart 231-8 for Modifications to Existing Major Facilities in Attainment Areas due to potential emissions of SO<sub>2</sub> and total PM in excess of 250 tons per year each.

This permit restricts potential emissions of total PM, PM-10, PM-2.5 from the entire EA Toner process, including current and expanded operations, to below Significant Emissions Increase applicability thresholds of PSD and NSR Subpart 231-8. Total PM, PM-10, and PM 2.5 potential emissions are restricted to less than 25, 15, and 10



tons per year respectively, based on limited material throughput and process emission rates. Actual total PM emissions from expanded EA Toner production operations are anticipated to be less than 1 ton per year.

Expanded EA Toner production VOC emissions have the potential to exceed the 15 pound per day Part 212.10 RACT applicability threshold. This permit restricts expanded EA Toner production VOC emissions to 6 tons per year based on material throughput and process emission rates.

This permit does not require Part 212.10 VOC RACT emission controls on the expanded EA Toner production operations. The Department determined that the expansion of EA Toner production meets the requirements of VOC RACT without VOC emission controls, based on the cost of control, the level of emissions for the process as proposed, and the nature of the process which can not be feasibly modified.

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:           DAVID L BIMBER  
  DIVISION OF ENVIRONMENTAL PERMITS  
  6274 EAST AVON LIMA RD  
  AVON, NY 14414-9519

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 8 HEADQUARTERS



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

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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

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

**Item 2.1:**

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

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

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



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

**Item 4.1:**

The Department reserves the right to 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 8 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 8 Headquarters  
Division of Environmental Permits  
6274 Avon-Lima Road  
Avon, NY 14414-9519  
(585) 226-2466

**New York State Department of Environmental Conservation**

Permit ID: 8-2654-00064/01201

Facility DEC ID: 8265400064



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: XEROX CORPORATION  
45 GLOVER AVE  
NORWALK, CT 06850-1600

Facility: XEROX JOSEPH C WILSON CTR FOR TECHNOLOGY  
800 PHILLIPS RD  
WEBSTER, NY 14580

Authorized Activity By Standard Industrial Classification Code:  
3861 - PHOTOGRAPH EQUIPMENT & SUPPLIES

Permit Effective Date: 11/22/2010  
date.

Permit Expiration Date: No expiration  
date.



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

1 6 NYCRR 212.4 (c): Compliance Demonstration

**Emission Unit Level**

7 6 NYCRR 201-7.2: Emission Unit Permissible Emissions

**EU=A-00001**

\*2 6 NYCRR 201-7.2: Capping Monitoring Condition

\*3 6 NYCRR 201-7.2: Capping Monitoring Condition

\*4 6 NYCRR 201-7.2: Capping Monitoring Condition

5 6 NYCRR 212.6 (a): Compliance Demonstration

**EU=A-00001,Proc=MAC**

6 6 NYCRR 212.10 (f): Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

8 ECL 19-0301: Contaminant List

9 6 NYCRR 201-1.4: Unavoidable noncompliance and violations

10 6 NYCRR Subpart 201-5: Emission Unit Definition

11 6 NYCRR 211.2: Air pollution prohibited

**Emission Unit Level**

12 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

**EU=A-00001**

13 6 NYCRR 212.4 (a): Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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



required to operate such device effectively.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

**Item L: Open Fires Prohibitions - 6 NYCRR 215.2**

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item M: Permit Exclusion - ECL 19-0305**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

**Item N: Federally Enforceable Requirements - 40 CFR 70.6 (b)**

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state



regulations.

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

**Condition 1: Compliance Demonstration**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 1.1:**

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

Emission Unit: A-00001  
Process: DBS

Emission Unit: A-00001  
Process: DC1

Emission Unit: A-00001  
Process: NDC

Emission Unit: A-00001  
Process: WST

**Item 1.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

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



the particulate emission rate.

Additionally, the permittee will investigate, in a timely manner, any instance where there is cause to believe that particulate emissions above 0.050 gr/dscf are occurring or have occurred. These instances include but are not limited to process upsets, control device malfunctions or problems, abnormal visible emissions, complaints, etc. The permittee shall determine the cause of any exceedance, make the necessary correction, and verify that the excess emissions problem has been corrected.

Records of these verifications, 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: PARTICULATES  
Upper Permit Limit: 0.050 grains per dscf  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 6 calendar month(s).

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

**Condition 7: Emission Unit Permissible Emissions**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 7.1:**

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: A-00001

CAS No: 0NY075-00-0

Name: PARTICULATES

PTE(s): 3.43 pounds per hour

50,000 pounds per year

CAS No: 0NY075-00-5

New York State Department of Environmental Conservation

Permit ID: 8-2654-00064/01201

Facility DEC ID: 8265400064



Name: PM-10  
PTE(s): 3.43 pounds per hour  
30,000 pounds per year

CAS No: 0NY075-02-5  
Name: PM 2.5  
PTE(s): 3.43 pounds per hour  
20,000 pounds per year

**Condition 2: Capping Monitoring Condition**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 2.1:**

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

6 NYCRR Subpart 231-6  
6 NYCRR Subpart 231-8  
40 CFR 52.21

**Item 2.2:**

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

**Item 2.3:**

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

**Item 2.4:**

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

**Item 2.5:**

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

**Item 2.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001



Regulated Contaminant(s):  
CAS No: ONY075-00-0 PARTICULATES

**Item 2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To avoid applicability to PSD, 40CFR52.21, and New Source Review, 6NYCRR Part 231, Particulate emissions from the entire EA Toner process, Unit A-00001, are limited to less than 25 tons per year, calculated on a 12-month rolling total. Emissions will be calculated monthly using emission factors contained in the august 2010 State Facility Air Application for EA Toner plant.

The permittee will conduct compliance verifications annually. These verifications include review of pertinent information relating to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The permittee will confirm that during source operation all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure the accuracy of the stated emission factors and compliance with the particulate emissions cap. Emission factors will be updated if necessary and the Department will be notified.

Additionally, the permittee will investigate, in a timely manner, any instance where there is cause to believe that emissions are in excess of those stated in the permit application. These instances include but are not limited to process upsets, abnormal visible emissions, control device malfunctions or problems, complaints, etc. The permittee shall determine the cause of any exceedence, make the necessary correction, and verify that the possible excess emissions problem has been corrected.

Actual emissions from this process will be reported semi-annually with the title V semi-annual reports.

Compliance with this condition shall be certified annually with the Title V annual certification.

Records of throughput, calculated emissions, and any



required excess emissions investigations will be included with the Title V semi-annual monitoring report and kept on site for 5 years. 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: PARTICULATES

Upper Permit Limit: 25 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 3: Capping Monitoring Condition**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 3.1:**

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 Subpart 231-6

6 NYCRR Subpart 231-8

40 CFR 52.21

**Item 3.2:**

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

**Item 3.3:**

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 3.4:**

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 3.5:**

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 3.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):

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

**Item 3.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To avoid applicability to PSD, 40CFR52.21, and New Source Review, 6NYCRR Part 231, PM-10 emissions from the entire EA Toner process, Unit A-00001, are limited to less than 15 tons per year, calculated on a 12-month rolling total.

Emissions will be calculated monthly using emission factors contained in the august 2010 State Facility Air Application for EA Toner plant.

The permittee will conduct compliance verifications annually. These verifications include review of pertinent information relating to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The permittee will confirm that during source operation all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure the accuracy of the stated emission factors and compliance with the particulate emissions cap. Emission factors will be updated if necessary and the Department will be notified.

Additionally, the permittee will investigate, in a timely manner, any instance where there is cause to believe that emissions are in excess of those stated in the permit application. These instances include but are not limited to process upsets, abnormal visible emissions, control device malfunctions or problems, complaints, etc. The permittee shall determine the cause of any exceedence, make the necessary correction, and verify that the possible excess emissions problem has been corrected.



Actual emissions from this process will be reported semi-annually with the title V semi-annual reports.

Compliance with this condition shall be certified annually with the Title V annual certification.

Records of throughput, calculated emissions, and any required excess emissions investigations will be included with the Title V semi-annual monitoring report and kept on site for 5 years. 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: PM-10

Upper Permit Limit: 15 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 4: Capping Monitoring Condition**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 4.1:**

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 Subpart 231-6

6 NYCRR Subpart 231-8

40 CFR 52.21

**Item 4.2:**

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

**Item 4.3:**

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 4.4:**

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 4.5:**

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 4.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):

CAS No: 0NY075-02-5 PM 2.5

**Item 4.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To avoid applicability to PSD, 40CFR52.21, and New Source Review, 6NYCRR Part 231, PM-2.5 emissions from the entire EA Toner process, Unit A-00001, are limited to less than 10 tons per year, calculated on a 12-month rolling total.

Emissions will be calculated monthly using emission factors contained in the august 2010 State Facility Air Application for EA Toner plant.

The permittee will conduct compliance verifications annually. These verifications include review of pertinent information relating to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The permittee will confirm that during source operation all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure the accuracy of the stated emission factors and compliance with the particulate emissions cap. Emission factors will be updated if necessary and the Department will be notified.



Additionally, the permittee will investigate, in a timely manner, any instance where there is cause to believe that emissions are in excess of those stated in the permit application. These instances include but are not limited to process upsets, abnormal visible emissions, control device malfunctions or problems, complaints, etc. The permittee shall determine the cause of any exceedence, make the necessary correction, and verify that the possible excess emissions problem has been corrected.

Actual emissions from this process will be reported semi-annually with the title V semi-annual reports.

Compliance with this condition shall be certified annually with the Title V annual certification.

Records of throughput, calculated emissions, and any required excess emissions investigations will be included with the Title V semi-annual monitoring report and kept on site for 5 years. 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: PM 2.5  
Upper Permit Limit: 10 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: 12-month total, rolled monthly  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 6 calendar month(s).

**Condition 5: Compliance Demonstration**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 5.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 8-2654-00064/01201

Facility DEC ID: 8265400064



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Monitoring Frequency: SEMI-ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

**Condition 6: Compliance Demonstration**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.10 (f)**

**Item 6.1:**

The Compliance Demonstration activity will be performed for:



Emission Unit: A-00001  
Process: MAC

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

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

RACT for Process MAC is established as no control provided the emissions limit of 6 tpy is not exceeded.

VOC emissions from the EA Toner plant are limited to less than 6 tons per year, calculated on a 12-month rolling total. Emissions will be calculated monthly using emission factors contained in the august 2010 State Facility Air Application for EA Toner plant.

The permittee will conduct compliance verifications annually. These verifications include review of pertinent information relating to VOC emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, etc. The permittee will confirm that during source operation all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure the accuracy of the stated emission factors and compliance with the VOC limit. Emission factors will be updated if necessary and the Department will be notified.

Additionally, the permittee will investigate, in a timely manner, any instance where there is cause to believe that emissions are in excess of those stated in the permit application. These instances include but are not limited to process upsets, control device malfunctions or problems, complaints, etc. The permittee shall determine the cause of any exceedence, make the necessary correction, and verify that the possible excess emissions problem has been corrected. emission factors will be reviewed annually for accuracy and updated if necessary.

Compliance with this condition shall be certified annually with the Title V annual certification.

Records of throughput, calculated emissions, and any required excess emissions investigations will be included



with the Title V semi-annual monitoring report and kept on site for 5 years. 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.

Semi-annual or annual re-evaluations of RACT are not necessary for this source. An updated RACT Analysis will be submitted with the complete Title V renewal application (Ren-2).

Parameter Monitored: VOC's

Upper Permit Limit: 6 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**



**Condition 8: Contaminant List**

**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 8.1:**

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

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

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

CAS No: 0NY075-02-5  
Name: PM 2.5

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

**Condition 9: Unavoidable noncompliance and violations**

**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 9.1:**

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 10: Emission Unit Definition**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 10.1:**

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

Emission Unit: A-00001

Emission Unit Description:

Chemical toner processing involving emulsion aggregate/coalescence, wet sieving, washing, drying, additive blending, screening and packaging.

Building(s): W216

**Condition 11: Air pollution prohibited**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 11.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.



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

**Condition 12: Process Definition By Emission Unit**  
**Effective between the dates of 11/22/2010 and Permit Expiration Date**

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

**Item 12.1:**

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

Emission Unit: A-00001  
Process: DBS Source Classification Code: 3-15-010-02  
Process Description: Wet Slurry Feeder

Emission Source/Control: BAGH1 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BAGH2 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BAGH3 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BAGH4 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: CEF08 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: SDEF1 - Process

**Item 12.2:**

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

Emission Unit: A-00001  
Process: DC1 Source Classification Code: 3-15-010-02  
Process Description: Miscellaneous dust collection.

Emission Source/Control: CEF14 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: CEF15 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: CEF16 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: CEF17 - Control  
Control Type: FABRIC FILTER







source operation all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure the accuracy of the stated emission factors and compliance with 6NYCRR Part 212 continues.

Additionally, the permittee will investigate, in a timely manner, any instance where there is cause to believe that emissions are in excess of those stated in the permit application. These instances include but are not limited to process upsets, visible emissions, control device malfunctions or problems, complaints, etc. The permittee shall determine the cause of any exceedence, make the necessary correction, and verify that the possible excess emissions problem has been corrected.

Compliance with this condition shall be certified annually with the Title V annual certification.

Records of any required excess emissions investigations will be included with the Title V semi-annual monitoring report and kept on site for 5 years. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

