

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 8543200009**



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 8-5432-00009/00033  
Effective Date: 09/11/2006 Expiration Date: 09/10/2011

Permit Issued To: SENECA FOODS CORP  
3736 S MAIN ST  
MARION, NY 14505-9777

Contact: PETER BLANDINO  
SENECA FOODS MARION PLANT  
3709 MILL STREET  
MARION, NY 14505  
(315) 926-0531

Facility: SENECA FOODS MARION PLANT  
3736 S MAIN ST  
MARION, NY 14505

Contact: PETER BLANDINO  
SENECA FOODS MARION PLANT  
3709 MILL STREET  
MARION, NY 14505  
(315) 926-0531

Description:  
Renewal of Title V Facility Permit for the Seneca Foods Corporation Marion Plant, a can manufacturing and fruit and vegetable canning facility.

effective January 16,  
2001 to include a federally required revision of the particulate standard.

This Permit includes a condition that will continue to restrict emissions of hazardous air pollutants (HAP) to below the 25 ton per year threshold in 40 CFR Part 63 Subpart KKKK Metal Can Surface Coating NESHAP, by requiring documentation that facility coating and solvent use does not cause HAP emissions to exceed 23 tons in any 12 month period. It also includes a condition that will continue to restrict  
100 tons per year,  
based on boiler fuel use.

No changes in operations or emissions are proposed from the Permit effective January 16, 2001. The facility remains subject to 6 NYCRR Part 201-6, Title V Facility Permits for major stationary sources, due to potential emissions of total particulates in excess of 100 tons per year, and volatile organic compounds in excess of 50 tons per year.

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Emission Units are:

0-01CAN, can manufacturing operations, and

01BOIL, which includes 2 boilers, 36 and 22 MMBTU/hr, fired by either natural gas or #6 fuel oil, and 2 boilers 46 and 22 MMBTU/hr, fired by natural gas only.

1 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**

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 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

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**

All special conditions while

The permittee is responsible for informing its independent contractors, employees, agents and 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**

and work nor does it authorize

This permit does not convey to the permittee any right to trespass upon the lands or interfere 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 and Modifications

Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

Submission of Applications for Permit Modification or Renewal -REGION 8  
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 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 requirements contained in such order or determination.

**Condition 3: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13**

**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 e Facility Permits.

**Item 3.3:**

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ited 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 and Revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.14**

**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,
- 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.

ance of the existing permit;

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

**Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.5(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  
(716) 226-2466



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: SENECA FOODS CORP  
3736 S MAIN ST  
MARION, NY 14505-9777

Facility: SENECA FOODS MARION PLANT  
3736 S MAIN ST  
MARION, NY 14505

Authorized Activity By Standard Industrial Classification Code:  
2033 - CANNED FRUITS AND VEGETABLES  
3411 - METAL CANS

Permit Effective Date: 09/11/2006

Permit Expiration Date: 09/10/2011



**LIST OF CONDITIONS**

**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 201-6: Emission Unit Definition
  - 24 6NYCRR 201-6.5(c)(3): Compliance Certification
  - 25 6NYCRR 201-6.5(f): Compliance Certification
  - 26 6NYCRR 201-7.2: Facility Permissible Emissions
  - \*27 6NYCRR 201-7.2: Capping Monitoring Condition
  - 28 6NYCRR 227-2: Compliance Certification
  - 29 6NYCRR 228.3(a): Use of Non-compliant Coatings Prohibited
  - 30 6NYCRR 231-2.4: Notification/Reporting requirements
  - 31 40CFR 63, Subpart A: Compliance Certification
  - 32 40CFR 82, Subpart F: Recycling and Emissions Reduction
- Emission Unit Level**
- 33 6NYCRR 201-6: Emission Point Definition By Emission Unit
  - 34 6NYCRR 201-6: Process Definition By Emission Unit

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- 35 6NYCRR 212.3(b): Compliance Certification
- 36 6NYCRR 212.4(c): Compliance Certification



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- 37 6NYCRR 212.10: 212.10 (c)(4)(i) - RACT for major facilities of VOCs.
- 38 6NYCRR 212.10: 212.10(c)(4)(ii) - RACT for major facilities of VOCs.
- 39 6NYCRR 212.11(a): Sampling and Monitoring
- 40 6NYCRR 228.3(c): Solids as applied
- 41 6NYCRR 228.3(d): Compliance Certification
- 42 6NYCRR 228.4: Compliance Certification
- 43 6NYCRR 228.5(a): Compliance Certification
- 44 6NYCRR 228.5(b): Compliance Certification
- 45 6NYCRR 228.5(d): Department access to obtain samples.
- 46 6NYCRR 228.5(f): Compliance Certification
- 47 6NYCRR 228.7: Compliance Certification
- 48 6NYCRR 228.7: Compliance Certification

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- 49 6NYCRR 228.7: Compliance Certification

**EU=0-01CAN,EP=00010**

- 50 6NYCRR 228.7: Compliance Certification

**EU=0-1BOIL**

- 51 6NYCRR 227-2.4(d): Compliance Certification
- 52 6NYCRR 227.2(b)(1): Compliance Certification
- 53 6NYCRR 231-2.2(b): Compliance Certification
- 54 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Certification
- 55 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 56 ECL 19-0301: Contaminant List
- 57 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 58 6NYCRR 211.2: Air pollution prohibited

**Emission Unit Level**

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- 59 6NYCRR 212.3(a): Emissions from Existing Sources
- 60 6NYCRR 212.4(a): Emissions from new emission sources and/or modifications
- 61 6NYCRR 212.4(b): Emissions from new emission sources and/or modifications not specified by Table 2
- 62 6NYCRR 212.5(a): Emissions from two or more devices through one emission point
- 63 6NYCRR 212.5(b): Emissions from a single device through multiple emission points
- 64 6NYCRR 212.5(c): Emissions from two or more devices through one stack - Concentration standard

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**EU=0-1BOIL**

- 65 6NYCRR 212.4(a): Emissions from new emission sources and/or modifications
- 66 6NYCRR 212.4(b): Emissions from new emission sources and/or modifications not specified by Table 2
- 67 6NYCRR 212.5(a): Emissions from two or more devices through one emission point
- 68 6NYCRR 212.5(b): Emissions from a single device through multiple emission points
- 69 6NYCRR 212.5(c): Emissions from two or more devices through one stack - Concentration standard

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



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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 - 6NYCRR 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

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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

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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



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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 between the dates of 09/11/2006 and 09/10/2011**

**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



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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 between the dates of 09/11/2006 and 09/10/2011**

**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.

**Condition 3: Recordkeeping and reporting of compliance monitoring**

**Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 3.1:**

The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii) The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.3 of this Part 201.

**Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.**

**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 201-6.5(c)(2)**

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable



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regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 201-6.5(c)(3)(ii)**

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

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.

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(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.

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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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 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

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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 60 days after the anniversary date of four consecutive calendar quarters. The first report is due 60 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

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

The address for the RAPCE is as follows:

6274 East Avon-Lima Road  
Avon, NY 14414-9519

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 1/30/2007.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**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  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

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



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**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 between the dates of 09/11/2006 and 09/10/2011**

**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 between the dates of 09/11/2006 and 09/10/2011**

**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 between the dates of 09/11/2006 and 09/10/2011**

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



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**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 between the dates of 09/11/2006 and 09/10/2011**

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

**Item 12.1:**

No person shall 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 between the dates of 09/11/2006 and 09/10/2011**

**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 between the dates of 09/11/2006 and 09/10/2011**

**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 between the dates of 09/11/2006 and 09/10/2011**



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**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 between the dates of 09/11/2006 and 09/10/2011**

**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 between the dates of 09/11/2006 and 09/10/2011**

**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



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preventive or corrective measures adopted.

**Condition 18: Off Permit Changes**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**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 between the dates of 09/11/2006 and 09/10/2011**

**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 between the dates of 09/11/2006 and 09/10/2011**

**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



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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 between the dates of 09/11/2006 and 09/10/2011**

**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 between the dates of 09/11/2006 and 09/10/2011**

**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: Emission Unit Definition**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 23.1:**

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

Emission Unit: 0-01CAN

Emission Unit Description:

The Can Plant is separated into two can lines: SBW-4400 can line 1 and FBB-5501 can line 2. Can line 1 manufactures 404 X 700 and 603 X 700 cans, and consists of a splitter/stacker, body maker, side stripe welder and applicator, horizontal drying ovens, can crimper, jet ink applicator, 360 degree spray booth, and curing oven. Can line 2 manufactures 211 X 304 and 300 size cans, and consists of a splitter/stacker, body maker, side stripe welder and applicator, natural gas fired drying oven, can crimper and a flanger. When needed, the new 300 spray booth (300 Can Line) will operate, instead of 404 Can Line, to meet production needs. Since both 300 and 404 Can Lines share the same curing oven, only one line can operate at any given time (physical limitation).

Building(s): CAN

**Item 23.2:**

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

Emission Unit: 0-1BOIL

Emission Unit Description:

This emission unit consists of a 36 mmBtu/hr boiler (EP00001), two 22 mmBtu/hr boilers (EP 00002 and 00003) and a 46 mmBtu/hr boiler (EP00004). Emission points 00001 and 00002 can burn natural gas and No. 6 fuel oil; EP 00003 and 00004 use natural gas only.

Building(s): BOILER

**Condition 24: Compliance Certification**

**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 201-6.5(c)(3)**

**Item 24.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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**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.

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 Compliance Monitoring and Enforcement (BCME) 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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 25: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

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**Facility DEC ID: 8543200009**



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

**Item 25.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operational Flexibility Plan

Plan Objective

The objective of this Plan is to maximize operational flexibility by building capability into the Title V Permit for the facility to make administrative and/or minor changes following a preestablished protocol as allowed for in 6NYCRR, Part 201-6.5(f).

This plan does not address those types of changes that would invoke the Part 201-6.7(d) "Significant Permit Modification". Rather, it addresses changes that qualify, as minor modifications pursuant to the criteria specified by 6NYCRR, Part 201-6.7(c)(1)(i) and (ii):

(1) Do not violate any applicable requirement;

(2) Do not involve significant changes to existing monitoring, reporting, or record keeping requirements in the permit and are not otherwise a significant change in the permit.

Protocol for Changes

(1) Certain changes which meet the criteria under (i) - (iii) below may be conducted without prior approval of the Department and shall not require modification of the permit. The facility owner and/or operator must however maintain records of the date and description of such changes and make such records available for review by Department representatives upon request.

(i) changes that do not cause emissions to exceed any emission limitation contained in regulations or applicable requirements under 6NYCRR;

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(ii) changes which do not cause the subject emission unit, emission source, process, or emission point to become subject to any additional regulations or requirements under 6NYCRR;

(iii) changes that do not seek to establish or modify a federally-enforceable emission cap or limit.

(2) In addition to the record keeping required under (b)(1) above, the permittee must notify the Department in writing at least 30 calendar days in advance of making changes involving:

(i) the installation or relocation of any emission source, process, or emission point within a facility;

(ii) the emission of any air pollutant not previously authorized or emitted in accordance with a permit issued by the Department;

(iii) the installation or alteration of any air cleaning installation, device or control equipment.

(3) The Department may require a permit modification, in order to impose new applicable requirements or special permit conditions if it determines that changes proposed pursuant to notification under (2) (above) do not meet the criteria under (1) or the change may have a significant air quality impact. In such cases the Department may require that the permittee not undertake the proposed change until it completes a more detailed review of the potential air quality impacts and/or applicable requirements. The Department shall respond to the permittee in writing with such a determination within 15 days of receipt of the 30 day advance notification from the permittee. The Department's determination shall include a listing of information necessary to further review the proposed change.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 26: Facility Permissible Emissions  
Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 26.1:**

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: 0NY100-00-0  
Name: HAP

PTE: 46,000 pounds per year

**Condition 27: Capping Monitoring Condition  
Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 27.1:**

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 63-KKKK

**Item 27.2:**

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

**Item 27.3:**

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 27.4:**

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 27.5:**

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 27.6:**



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The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

**Item 27.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

To cap out of 40 CFR 63 Subpart KKKK "Metal Can Surface Coating NESHAP" , the facility-wide HAP emissions total is restricted to 46,000 pounds (23 TPY) or less during any consecutive 12-month period, as determined by using the following method:

An inventory of coating components containing HAPs will be kept and updated on a monthly basis to indicate material usage to the nearest gallon. The HAP content of the material will be determined by obtaining the material safety data sheets (MSDS) from all coating material vendors, and maintaining the MSDS at the facility. Any additional solvent used to thin the coatings shall be included in the HAP calculations. It is assumed that 100% of the HAP contained in any material used is released to the atmosphere without any control. The monthly HAP usage records will be kept at the facility and used to calculate the annual HAP emissions.

Seneca Foods will include the HAP emissions in the annual Compliance Certification submitted to the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COATING

Parameter Monitored: HAP

Upper Permit Limit: 23 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.

The initial report is due 1/30/2007.

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

**Condition 28: Compliance Certification**

**Effective between the dates of 09/11/2006 and 09/10/2011**



**Applicable Federal Requirement: 6NYCRR 227-2**

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To cap out out 6 NYCRR Part 227-2 requirements, the facility-wide NOx emissions total is restricted to 190,000 pounds or less during any consecutive 12-month period, as determined using this equation:

$$12[ (\text{mmcf natural gas/month})(140 \text{ lb NOx/mmcf}) \\ + (1000 \text{ gallons fuel oil/month})(55 \text{ lb NOx/1000 gallon}) \\ ] < 190,000 \text{ lb NOx/year}$$

The emission factors used in the equation above are from the USEPA Compilation of Air Pollution Emission Factors (AP-42), Volume 1, updated September 1998, Tables 1.4-1 and 1.3-1.

The facility shall include an NOx annual report with the Part 201-6.5(e) annual Compliance Certification submitted to the Department.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 29: Use of Non-compliant Coatings Prohibited**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.3(a)**

**Item 29.1:**

Use of coatings that exceed the maximum permitted pounds of VOC per gallon, minus water and excluded VOC at application specified in table 1 of section 228.7 or table 2 of section 228.8 of 6 NYCRR Part



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228 is prohibited.

**Condition 30: Notification/Reporting requirements**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 231-2.4**

**Item 30.1:**

At least sixty (60) days prior to the scheduled commence operation date of the proposed source project or proposed major facility, the permittee shall submit any changes to the list of offset sources included in this permit. For each such change, the applicant must submit another "Use of Emission Reduction Credits Form" signed by the applicant and an authorized representative of the new offset source.

**Item 30.2:**

The facility shall submit to the DEC Regional office a letter of confirmation that each future emission reduction, if any, used to provide emission offsets for this facility has physically occurred. This letter should be submitted, not less than 10 working days, prior to the facility's scheduled start-up date.

**Item 30.3:**

This permit shall be subject to revocation if construction is not commenced within 18 months from the date of issuance of such permit or if construction is discontinued for a period of 18 months or more (excluding any period of time that the permit is subject to challenge in State or Federal court), or if construction is not completed within a reasonable time acceptable to the Department.

**Condition 31: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 40CFR 63, Subpart A**

**Item 31.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To cap out of 40 CFR 63 Subpart KKKK "Metal Can Surface Coating NESHAP", the facility-wide HAP emissions total is restricted to under 46,000 pounds (23 TPY), below the major source determination.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)



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Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 32: Recycling and Emissions Reduction**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 32.1:**

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

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

**Condition 33: Emission Point Definition By Emission Unit**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 33.1:**

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

Emission Unit: 0-01CAN

Emission Point: 00005

Height (ft.): 36

Diameter (in.): 12

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NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00006

Height (ft.): 36 Diameter (in.): 8

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00007

Height (ft.): 36 Diameter (in.): 12

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00008

Height (ft.): 37 Diameter (in.): 32

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00009

Height (ft.): 43 Diameter (in.): 36

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00010

Height (ft.): 44 Diameter (in.): 24

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00011

Height (ft.): 39 Diameter (in.): 8

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00012

Height (ft.): 39 Diameter (in.): 30

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00013

Height (ft.): 41 Diameter (in.): 24

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 0008A

Height (ft.): 40 Diameter (in.): 8

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 0008B

Height (ft.): 38 Diameter (in.): 24

NYTMN (km.): 4778.222 NYTME (km.): 322.029

**Item 33.2:**

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

Emission Unit: 0-1BOIL



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Emission Point: 00001

Height (ft.): 47

Diameter (in.): 36

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00002

Height (ft.): 47

Diameter (in.): 36

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00003

Height (ft.): 45

Diameter (in.): 24

NYTMN (km.): 4778.222 NYTME (km.): 322.029

Emission Point: 00004

Height (ft.): 45

Diameter (in.): 24

NYTMN (km.): 4778.222 NYTME (km.): 322.029

**Condition 34: Process Definition By Emission Unit  
Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 34.1:**

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

Emission Unit: 0-01CAN

Process: 102

Source Classification Code: 4-02-040-04

Process Description:

The Can Plant is separated into two can lines: SBW-4400 Can line 1 and FBB-5501 Can line 2. Can line 1 manufactures 404 x 700 and 603 x 700 size cans, and consists of a splitter/stacker, body maker, side stripe welder and applicator, horizontal drying ovens, can crimper, jet ink applicator, 360 degree spray booth, and curing oven. Can line 2 manufactures 211 x 300 size cans, and consists of a splitter/stacker, body maker, side stripe welder and applicator, natural gas fired drying oven, can crimper and flanger. When needed, the new 300 spray booth (300 Can Line) will operate, instead of the 404 Can line, to meet production needs. Since 300 and 404 Can lines share the same curing oven, only one line can operate at any given time (physical limitation).

Emission Source/Control: 00005 - Process

Emission Source/Control: 00006 - Process

Emission Source/Control: 00007 - Process



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Emission Source/Control: 00008 - Process

Emission Source/Control: 00009 - Process

Emission Source/Control: 00010 - Process

Emission Source/Control: 00011 - Process

Emission Source/Control: 00012 - Process

Emission Source/Control: 00013 - Process

**Item 34.2:**

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

Emission Unit: 0-1BOIL

Process: 101

Source Classification Code: 2-02-004-02

Process Description:

This emission unit consists of a 36 mmBtu/hr boiler (EP00001) and a 22 mmBtu/hr boiler (EP00002) burning oil and natural gas, a 22 mmBtu/hr boiler (EP00003) and a 46 mmBtu/hr boiler (EP00004) burning natural gas only.

Emission Source/Control: 00001 - Combustion

Emission Source/Control: 00002 - Combustion

Emission Source/Control: 00003 - Combustion

Emission Source/Control: 000B4 - Combustion

**Condition 35: Compliance Certification**

**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 212.3(b)**

**Item 35.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 35.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.15 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.15 grains per dscf

Reference Test Method: EPA Method 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.

The initial report is due 1/30/2007.

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

**Condition 36: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 36.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN

**Item 36.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

The permittee will conduct compliance observations during operation at the monitoring frequency stated below. These observations include pertinent information relating

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to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The permittee will confirm that all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure this source to be in compliance with the particulate emission rate.

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

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: Method 5

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 37: 212.10 (c)(4)(i) - RACT for major facilities of VOCs.  
Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 212.10**

**Item 37.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 37.2:**

Volatile organic compound emission points which are equipped with a capture system and a control device with an overall removal efficiency of at least 81% are equipped with reasonably available control



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technology.

**Condition 38: 212.10(c)(4)(ii) - RACT for major facilities of VOCs.  
Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 212.10**

**Item 38.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 38.2:**

Surface coating process which are not subject to Part 228 of this Title which use a surface coating with a maximum volatile organic compound (VOC) content of 3.5 pounds VOC per gallon as applied (minus water and excluded VOC) as calculated according to the formula in paragraph 228.2(b)(11) are equipped with reasonably available control technology.

**Condition 39: Sampling and Monitoring  
Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 212.11(a)**

**Item 39.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 39.2:**

The owner and/or operator of this facility, if required by the department to conduct stack testing to demonstrate compliance with 6 NYCRR Part 212, must comply with notification requirements and conduct capture efficiency and/or stack testing using acceptable procedures pursuant to 6 NYCRR Part 202.

**Condition 40: Solids as applied  
Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.3(c)**

**Item 40.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 40.2:**

**The overall removal efficiency of an air cleaning device used as a control strategy must be determined, for every surface coating formulation, on a solids as applied basis using Equation 2 unless a 85 percent of greater overall removal efficiency is achieved by the air cleaning device. The air cleaning device must be designed and operated to provide, at a minimum, an overall removal efficiency of either 85 percent or as determined by Equation 2.**

$$n = \left[ 1 - \frac{(VOC)_c(Vn)_a}{(VOC)_a(Vn)_c} \right] \times 100\% \quad \text{Equation 2}$$

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where:

**n** is the overall removal efficiency

**(VOC)<sub>c</sub>** is the maximum permissible pounds of VOC per gallon of coating minus water and excluded VOC at application, as set forth in tables 1 and 2 of 6 NYCRR 228.

**(VOC)<sub>a</sub>** is the VOC content of an as applied coating, expressed as pounds of VOC per gallon of coating minus water and excluded VOC

**(V<sub>n</sub>)<sub>c</sub>** is the volumetric fraction of solids, expressed as gallon of solids per gallon of coating minus water and excluded VOC, in a compliant coating expressed as:

$$(V_n)_c = 1 - (V_v)_c \quad \text{Equation 3}$$

**(V<sub>v</sub>)<sub>c</sub>** is the volumetric fraction of VOC, expressed as gallon of VOC per gallon of coating minus water and excluded VOC, in a compliant coating expressed as:

$$(V_v)_c = \frac{(VOC)_c}{d_{VOC}} \quad \text{Equation 4}$$

**(V<sub>n</sub>)<sub>a</sub>** is the volumetric fraction of solids, expressed as gallon of solids per gallon of coating minus water and excluded VOC, in an as applied coating expressed as:

$$(V_n)_a = 1 - (V_v)_a \quad \text{Equation 5}$$

**(V<sub>v</sub>)<sub>a</sub>** is the volumetric fraction of VOC, expressed as gallon of VOC per gallon of coating minus water and excluded VOC, in an as applied coating expressed as:

$$(V_v)_a = \frac{(VOC)_a}{d_{VOC}} \quad \text{Equation 6}$$

**dVOC** is the density of VOC as applied, i.e., total volatiles minus water and excluded VOC, in pounds of VOC per gallon of VOC

**Condition 41: Compliance Certification**  
Effective between the dates of 09/11/2006 and 09/10/2011

**Applicable Federal Requirement: 6NYCRR 228.3(d)**

**Item 41.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN

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**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A coating line which utilizes a coating system a control strategy, which control strategy may also employ as a control device, must comply with the following provisions:

(1) the coating system must be approved by the department prior to the use of the coating system in the manufacture of a product for sale;

(2) coatings which are applied manually by handheld spray guns cannot be utilized in the coating system;

(3) the emission differential (ED) for a coating system must be determined using the formula below. The ED for the coating system is the sum of the individual ED values calculated for every coating used in the coating system. The ED calculation requirement is to be performed each time the series of coatings in a coating system is changed. The coating system ED must be less than or equal to zero before the coating system may be operated.

$$ED = \frac{\sum (V_n)_a [(1 - \eta) - \frac{(VOC)_c}{(VOC)_a}]}{\sum (V_n)_c}$$

Equation 7

where:

V is the actual coating volume used, minus water and excluded VOC, in gallons

η is the overall removal efficiency, expressed as:

$$\eta = \frac{C_c \times Q_d}{10,000}$$

Equation 8

C<sub>c</sub> is the percent CE, as determined by paragraph 228.5(e)(2) of this 6 NYCRR.

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$\eta$  is the percent destruction and/or removal efficiency, as determined by Paragraph 228.5(f) of 6 NYCRR.

$\eta = 0$ , for coating systems without a control device and capture system

$dVOC = 7.36$  pounds of VOC per gallon of VOC when  $(VOC)_a = 0$  and  $(Vn)_a = 1$

When paragraph 228.5(e)(1) of 6 NYCRR applies,  $\eta$  is the VOC solvent recovery fraction.

All other terms are defined in 6 NYCRR 228.3(c).

(4) the ED figures for the individual coating used in the coating system must be calculated on an instantaneous basis. There is no averaging period for individual coatings which are part of a coating system; and

(5) the method or instrument by which the owner or operator will measure or calculate the volume of coating applied must be approved by the department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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.

The initial report is due 1/30/2007.

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

**Condition 42: Compliance Certification**

**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.4**

**Item 42.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

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**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 Method 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.

The initial report is due 1/30/2007.

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

**Condition 43: Compliance Certification**

**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.5(a)**

**Item 43.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

**Monitoring Description:**

The owner or operator of any emission source subject to 6NYCRR Part 228 must maintain and, upon request, provide the Department with a certification from the coating supplier/manufacturer which verifies the parameters used to determine the actual VOC content of each as applied



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coating, (VOC)a, used at the facility. In addition, purchase, usage and/or production records of the coating material, including solvents, must be maintained in a format acceptable to the Department and, upon request, these records must be submitted to the Department. Any facility required to perform the overall removal efficiency calculation, must maintain records to verify the parameters used in the calculation. A facility owner or operator must maintain a record that identifies each air cleaning device that has an overall removal efficiency of at least 85 percent. Any additional information required to determine compliance must be provided to the Department in a format 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 1/30/2007.

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

**Condition 44: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.5(b)**

**Item 44.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Upon request by the Department, the owner and operator of any emission source subject to 6NYCRR Part 228, must use Method 311 or Method 24 as presented in Appendices A of both 40 CFR Parts 63 and 60, respectively (see table 1, section 200.9 of Title 6), to measure the volatile content, water content, density, volume of solids, and weight of solids in order to determine the actual VOC content of an as applied coating during a compliance



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demonstration.

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 1/30/2007.

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

**Condition 45: Department access to obtain samples.**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.5(d)**

**Item 45.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 45.2:**

Representatives of the Department must be permitted during reasonable business hours, to obtain coating samples for the purpose of determining compliance with 6NYCRR Part 228.

**Condition 46: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.5(f)**

**Item 46.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator of a surface coating process must follow notification requirements, protocol requirements and test procedures of Part 202 of this Title for testing and monitoring. Depending upon conditions at a test site, one of the following test methods from Appendix A of 40 CFR 60 (see Table 1, section 200.9 of this Title) must be used when measuring VOC concentrations of a gas stream at the inlet and outlet of a control device to



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determine the destruction and/or removal efficiency:

(1) Method 18, Measurement of Gaseous Organic Compound Emissions by Gas Chromatography;

(2) Method 25, Determination of Total Gaseous Organic Emissions as Carbon; or

(3) Method 25A, Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 47: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.7**

**Item 47.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The maximum permitted pounds of VOC per gallon of coating at application, for three-piece metal can side-seam spray coating lines is 5.5

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COATING LINES

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 5.5 pounds per gallon

Monitoring Frequency: CONTINUOUS

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



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**Facility DEC ID: 8543200009**

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 48: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.7**

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN

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

**Item 48.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The maximum permitted pounds of VOC per gallon of coating  
at application, for two and three piece metal can interior  
body spray coating lines is 4.2

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COATING LINES

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 4.2 pounds per gallon

Monitoring Frequency: CONTINUOUS

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.

The initial report is due 1/30/2007.

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

**Condition 49: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.7**

**Item 49.1:**

The Compliance Certification activity will be performed for:



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**Facility DEC ID: 8543200009**

Emission Unit: 0-01CAN Emission Point: 00009

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The maximum permitted pounds of VOC per gallon of coating at application, for metal can end sealing compound coating lines is 3.7

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COATING LINES

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 3.7 pounds per gallon

Monitoring Frequency: CONTINUOUS

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.

The initial report is due 1/30/2007.

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

**Condition 50: Compliance Certification**

**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 228.7**

**Item 50.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-01CAN Emission Point: 00010

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:



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**Facility DEC ID: 8543200009**

The maximum permitted pounds of VOC per gallon of coating at application, for metal can end sealing compound coating lines is 3.7

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: COATING LINES  
Parameter Monitored: VOC CONTENT  
Upper Permit Limit: 3.7 pounds per gallon  
Monitoring Frequency: CONTINUOUS  
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.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 6 calendar month(s).

**Condition 51: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 51.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 0-1BOIL

**Item 51.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

A boiler tune-up shall be performed annually. The owner or operator of a small boiler shall maintain a log (in the format acceptable to the Department) containing the following information: (1) The date which the equipment was adjusted; and (2) The name, title, and affiliation of the person who adjusted the equipment.

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 52: Compliance Certification**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**New York State Department of Environmental Conservation**

**Permit ID: 8-5432-00009/00033**

**Facility DEC ID: 8543200009**



**Applicable Federal Requirement: 6NYCRR 227.2(b)(1)**

**Item 52.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-1BOIL

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for midsize and large boilers firing liquid fuels (other than distillate oil). The owner or operator shall complete the following once per term of this permit:

- 1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition, and
- 2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 53: Compliance Certification**

**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable Federal Requirement: 6NYCRR 231-2.2(b)**

**Item 53.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-1BOIL

Regulated Contaminant(s):

**New York State Department of Environmental Conservation**

**Permit ID: 8-5432-00009/00033**

**Facility DEC ID: 8543200009**



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

**Item 53.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Nitrogen oxide emissions from points 00003 and 00004, combined, are limited to 39 tons per year, calculated on a 12-month rolling basis. This cap limits yearly emissions to less than the 6 NYCRR Part 231 New Source Review applicability of 40 tons. Emission factors used to determine emissions are as follows:

natural gas: 140 lb NO<sub>x</sub> / 1,000,000 cf

No. 6 fuel oil: 55 lb NO<sub>x</sub> / 1,000 gallon

(per USEPA Compilation of Air Pollution Emission Factors, AP-42, Tables 1.4-1 and 1.3-1).

To ensure the above limitation is not exceeded, a log shall be maintained on-site for 5 years. The log shall include the total fuel use per month, NO<sub>x</sub> emission for the current month, and NO<sub>x</sub> emissions for the last 12 months.

A report certifying that the 39 ton threshold has not been exceeded shall be submitted to the Department with the Annual Compliance Certification.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 39 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.

The initial report is due 1/30/2007.

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

**Condition 54: Compliance Certification**

**Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 54.1:**

The Compliance Certification activity will be performed for:

**New York State Department of Environmental Conservation**

**Permit ID: 8-5432-00009/00033**

**Facility DEC ID: 8543200009**



Emission Unit: 0-1BOIL

**Item 54.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 55: Compliance Certification**

**Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 55.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-1BOIL

**Item 55.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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 56: Contaminant List  
Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 56.1:**

Emissions of the following contaminants are subject to contaminant specific requirements in this



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permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 0NY100-00-0

Name: HAP

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY998-00-0

Name: VOC

**Condition 57: Unavoidable noncompliance and violations**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 57.1:**

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.



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(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 58: Air pollution prohibited**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 58.1:**

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 59: Emissions from Existing Sources**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 212.3(a)**

**Item 59.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 59.2:** No person will cause or allow emissions that violate the requirement specified in Table 2, Table 3, or Table 4 of 6NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 60: Emissions from new emission sources and/or modifications**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

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Facility DEC ID: 8543200009



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

**Item 60.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 60.2:**

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

**Condition 61: Emissions from new emission sources and/or modifications not specified by Table 2  
Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 212.4(b)**

**Item 61.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 61.2:**

For gases and liquid particulates with an environmental rating of A, B, or C and for solid particulates with an environmental rating of A, where the emission rate potential is not shown in Table 2 the permissible emission rate shall be specified by the commissioner.

**Condition 62: Emissions from two or more devices through one emission point  
Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 212.5(a)**

**Item 62.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 62.2:**

Where air contaminants from two or more devices or contrivances are emitted to the outdoor atmosphere through a single emission point, the permissible emission rate or degree of air cleaning required is determined by using the sum of the process weights or emission rate potentials for all such devices or contrivances.

**Condition 63: Emissions from a single device through multiple emission points  
Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 212.5(b)**

**Item 63.1:**



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**Facility DEC ID: 8543200009**

This Condition applies to Emission Unit: 0-01CAN

**Item 63.2:**

Where air contaminants from a single device or contrivance are emitted to the outdoor atmosphere through more than one emission point, the sum of the emissions from all such emission points shall not exceed the quantity that would be permitted if said emissions were through a single emission point.

**Condition 64: Emissions from two or more devices through one stack -  
Concentration standard  
Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 212.5(c)**

**Item 64.1:**

This Condition applies to Emission Unit: 0-01CAN

**Item 64.2:**

Where air contaminants from two or more devices or contrivances are emitted to the outdoor atmosphere through a single emission point and the applicable emission standard for one or more of such devices or contrivances if vented separately to the outdoor atmosphere is a concentration standard (grains per standard cubic foot), the permissible emission rate through such emission point shall not exceed the quantity that would be allowed if said emissions were through separate emission points.

**Condition 65: Emissions from new emission sources and/or modifications  
Effective between the dates of 09/11/2006 and 09/10/2011**

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

**Item 65.1:**

This Condition applies to Emission Unit: 0-1BOIL

**Item 65.2:**

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

**Condition 66: Emissions from new emission sources and/or modifications  
not specified by Table 2  
Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 212.4(b)**

**Item 66.1:**

This Condition applies to Emission Unit: 0-1BOIL

**Item 66.2:**

For gases and liquid particulates with an environmental rating of A, B, or C and for solid particulates with



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**Facility DEC ID: 8543200009**

an environmental rating of A, where the emission rate potential is not shown in Table 2 the permissible emission rate shall be specified by the commissioner.

**Condition 67: Emissions from two or more devices through one emission point**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 212.5(a)**

**Item 67.1:**

This Condition applies to Emission Unit: 0-1BOIL

**Item 67.2:**

Where air contaminants from two or more devices or contrivances are emitted to the outdoor atmosphere through a single emission point, the permissible emission rate or degree of air cleaning required is determined by using the sum of the process weights or emission rate potentials for all such devices or contrivances.

**Condition 68: Emissions from a single device through multiple emission points**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 212.5(b)**

**Item 68.1:**

This Condition applies to Emission Unit: 0-1BOIL

**Item 68.2:**

Where air contaminants from a single device or contrivance are emitted to the outdoor atmosphere through more than one emission point, the sum of the emissions from all such emission points shall not exceed the quantity that would be permitted if said emissions were through a single emission point.

**Condition 69: Emissions from two or more devices through one stack - Concentration standard**  
**Effective between the dates of 09/11/2006 and 09/10/2011**

**Applicable State Requirement: 6NYCRR 212.5(c)**

**Item 69.1:**

This Condition applies to Emission Unit: 0-1BOIL

**Item 69.2:**

Where air contaminants from two or more devices or contrivances are emitted to the outdoor atmosphere through a single emission point and the applicable emission standard for one or more of such devices or contrivances if vented separately to the outdoor atmosphere is a concentration standard (grains per standard cubic foot), the permissible emission rate through such emission point shall not exceed the quantity that would be allowed if said emissi