

New York State Department of Environmental Conservation
Facility DEC ID: 9145600109



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 9-1456-00109/00001
Effective Date: 02/27/2001 Expiration Date: No expiration date

Permit Issued To: ADESA NEW YORK LLC
310 E 96TH ST STE 400
INDIANAPOLIS, IN 46240

Facility: ADESA BUFFALO
12200 MAIN ROAD
AKRON, NY 14001

Contact: WARREN M CLAUSS
12200 MAIN ROAD
AKRON, NY 14001
(716) 542-3300

Description:

ADESA Buffalo is a wholesale automobile auction facility. This permit will allow the company to construct and operate a new body shop for reconditioning automobiles prior to sale. The permitted facility will consist of two emission units:

1. 1-PAINT which is comprised of three paint booths, each equipped with a filter for particulate control.
2. 2-PRIME which is comprised of three preparatory/priming booths, each equipped with a filter for particulate control.

The proposed facility is subject to the opacity and particulate limits of 6 NYCRR Parts 212.6(a) and 212.4(c), respectively.

The facility has accepted three emission caps:

1. Emissions of Volatile Organic Compounds (VOCs) are limited to 49.9 tons per year for the entire facility.
2. Emissions of Hazardous Air Pollutants (HAPs) are limited to 24.9 tons per year for the entire facility.
3. Emissions of xylene are limited to 9.9 tons per year for the entire facility.

Each of the these three emission limits cap the facility below the major facility applicability threshold of 6 NYCRR Subpart 201-6 (Title V permitting) and allows the facility to operate under a Air State Facility permit per 6 NYCRR Subpart 201-5. The VOC emission limit also caps the facility below the applicability threshold of 6 NYCRR Part 228 - Surface Coating Processes. Since the facility's VOC emissions are capped below the major facility threshold of 6 NYCRR Part 201, it is not subject to the

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provisions of 6 NYCRR Subpart 231-2 - New Source Review in Nonattainment Areas and Ozone Transport Regions.

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

Permit Administrator: DAVID S DENK
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the 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 compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 9
HEADQUARTERS



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

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Item 3.1:

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

Item 3.2:

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

Condition 4: Permit Modifications, Suspensions, and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

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Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

****** Facility Level ******

**Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 9
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 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165



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ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: ADESA NEW YORK LLC
310 E 96TH ST STE 400
INDIANAPOLIS, IN 46240

Facility: ADESA BUFFALO
12200 MAIN ROAD
AKRON, NY 14001

Authorized Activity By Standard Industrial Classification Code:
5012 - AUTOS & OTHER MOTOR VEHICLES

Permit Effective Date: 02/27/2001

Permit Expiration Date: No expiration date.



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.5: Sealing
- 2 6NYCRR 200.6: Acceptable ambient air quality
- 3 6NYCRR 200.7: Maintenance of equipment
- 4 6NYCRR 201-1.2: Unpermitted Emission Sources
- 5 6NYCRR 201-1.4: Unavoidable Noncompliance and Violations
- 6 6NYCRR 201-1.5: Emergency Defense
- 7 6NYCRR 201-1.7: Recycling and Salvage
- 8 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the Air
- 9 6NYCRR 201-1.10(a): Public Access to Recordkeeping
- 10 6NYCRR 201-3.2(a): Proof of Eligibility
- 11 6NYCRR 201-3.3(a): Proof of Eligibility
- 12 6NYCRR 201-7.2: Facility Permissible Emissions
- *13 6NYCRR 201-7.2: Compliance Demonstration
- *14 6NYCRR 201-7.2: Compliance Demonstration
- *15 6NYCRR 201-7.2: Compliance Demonstration
- 16 6NYCRR 202-1.1: Required emissions tests
- 17 6NYCRR 211.3: Visible emissions limited.
- 18 6NYCRR 212.4(c): Compliance Demonstration
- 19 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 20 6NYCRR 228: Facility Permissible Emissions
- *21 6NYCRR 228: Compliance Demonstration
- 22 6NYCRR 231-2.2: Facility Permissible Emissions
- *23 6NYCRR 231-2.2: Compliance Demonstration

Emission Unit Level

EU=1-PAINT

- 24 6NYCRR 212.4(c): Compliance Demonstration
- 25 6NYCRR 212.6(a): Compliance Demonstration

EU=1-PRIME

- 26 6NYCRR 212.4(c): Compliance Demonstration
- 27 6NYCRR 212.6(a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 28 6NYCRR 201-5: General Provisions
- 29 6NYCRR 201-5: Permit Exclusion Provisions
- 30 6NYCRR 201-5: Emission Unit Definition
- 31 6NYCRR 201-5.3(b): Contaminant List
- 32 6NYCRR 211.2: Air pollution prohibited

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Emission Unit Level

- 33 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 34 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



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FEDERALLY ENFORCEABLE CONDITIONS

****** Facility Level ******

Condition 1: Sealing
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.5

Item 1.1:

(a) The commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the commissioner issued in the case of the violation. Sealing means labelling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 2: Acceptable ambient air quality
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.6

Item 2.1:

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

Condition 3: Maintenance of equipment
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.7

Item 3.1:

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.

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Condition 4: Unpermitted Emission Sources
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 4.1:

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

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

Condition 5: Unavoidable Noncompliance and Violations
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.4

Item 5.1:

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 or certificate issued for the corresponding air contamination source. 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



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of the emission rates.

(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.

Condition 6: Emergency Defense
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 6.1:

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.

Condition 7: Recycling and Salvage
Effective between the dates of 02/27/2001 and Permit Expiration Date

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Applicable Federal Requirement: 6NYCRR 201-1.7

Item 7.1:

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 6 NYCRR.

Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 8.1:

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

Condition 9: Public Access to Recordkeeping
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.10(a)

Item 9.1:

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

Condition 10: Proof of Eligibility
Effective between the dates of 02/27/2001 and Permit Expiration Date

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

Item 10.1:

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

Condition 11: Proof of Eligibility



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

Item 11.1:

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

Condition 12: Facility Permissible Emissions

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 12.1:

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: 001330-20-7 PTE: 19,800 pounds per year
Name: XYLENE, M, O & P MIXT.

CAS No: 0NY100-00-0 PTE: 49,800 pounds per year
Name: HAP

CAS No: 0NY998-00-0 PTE: 99,800 pounds per year
Name: VOC

Condition 13: Compliance Demonstration

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 13.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 13.2:

Compliance Demonstration shall include the following monitoring:

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Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The total VOC emissions from the facility shall not exceed 49.9 tons during any consecutive 12 month period. At the beginning of each month, the facility shall calculate total VOC emissions for the previous consecutive 12 month period. Monthly total VOC emissions shall be determined by summing the total amount of VOCs contained in any solvent containing material used at the facility, including but not limited to coatings, reducing solvents, surface preparation materials and clean up solvents.

The facility shall maintain records showing the quantity of VOC containing materials consumed on a monthly basis. Records shall be based on verifiable data such as purchase orders, invoices, or other supporting documents. All records and corresponding emission calculations shall be kept on site for a minimum of five (5) years. This information shall be made available to the Department upon request.

The facility shall submit to the Department an annual emission inventory listing monthly total VOC emissions and total VOC emissions for the previous year.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: VOC's

Parameter Monitored: VOC's

Upper Permit Limit: 49.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 03/28/2002 for the period 02/27/2001 through 02/26/2002

Condition 14: Compliance Demonstration
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 14.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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CAS No: 001330-20-7 XYLENE, M, O & P MIXT.

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The xylene emissions from the facility shall not exceed 9.9 tons during any consecutive 12 month period. At the beginning of each month, the facility shall calculate xylene emissions for the previous consecutive 12 month period. Monthly xylene emissions shall be determined by summing the total amount of xylene contained in any solvent containing material used at the facility, including but not limited to coatings, reducing solvents, surface preparation materials and clean up solvents.

The facility shall maintain records showing the quantity of xylene containing materials consumed on a monthly basis. Records shall be based on verifiable data such as purchase orders, invoices, or other supporting documents. All records and corresponding emission calculations shall be kept on site for a minimum of five (5) years. This information shall be made available to the Department upon request.

The facility shall submit to the Department an annual emission inventory listing monthly xylene emissions and xylene emissions for the previous year.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ENTIRE VEHICLE COATING - MOTOR VEHICLE REFINISHING

Parameter Monitored: XYLENE, M, O & P MIXT.

Upper Permit Limit: 9.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 03/28/2002 for the period 02/27/2001 through 02/26/2002

Condition 15: Compliance Demonstration

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2



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Item 15.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 15.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The total HAP emissions from the facility shall not exceed 24.9 tons during any consecutive 12 month period. At the beginning of each month, the facility shall calculate total HAP emissions for the previous consecutive 12 month period. Monthly total HAP emissions shall be determined by summing the total amount of HAPs contained in any solvent containing material used at the facility, including but not limited to coatings, reducing solvents, surface preparation materials and clean up solvents.

The facility shall maintain records showing the quantity of HAP containing materials consumed on a monthly basis. Records shall be based on verifiable data such as purchase orders, invoices, or other supporting documents. All records and corresponding emission calculations shall be kept on site for a minimum of five (5) years. This information shall be made available to the Department upon request.

The facility shall submit to the Department an annual emission inventory listing monthly total HAP emissions and total HAP emissions for the previous year.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ENTIRE VEHICLE COATING - MOTOR VEHICLE REFINISHING

Parameter Monitored: HAP

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 03/28/2002 for the period 02/27/2001 through 02/26/2002

Condition 16: Required emissions tests



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Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 16.1:

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

Condition 17: Visible emissions limited.

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.3

Item 17.1:

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

Condition 18: Compliance Demonstration

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 18.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of all paint spray booths must periodically monitor the booths and the accompanying particulate control device(s) by completing the following tasks on a weekly basis:

- Inspect the spray booth emission point for evidence of paint fallout and for presence of visible emissions. Presence of visible emissions indicates that the emission sources may not be operating properly and may need

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servicing.

- Inspect the spray booth's particulate control device for evidence that maintenance or replacement is needed.
- Record in an inspection log, which shall be made available for Department review upon request, the following information: Date, time, name of staff person performing inspection, and inspection results for each inspection; and, whenever a problem is discovered, a description of the problem, cause and corrective action taken.

Regardless of when a problem is noted, i.e., at a time other than during the weekly inspection, it must be immediately remedied

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 19: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 215

Item 19.1:

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

Condition 20: Facility Permissible Emissions
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 228

Item 20.1:

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: 0NY998-00-0
Name: VOC

PTE: 99,800 pounds per year

Condition 21: Compliance Demonstration
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 228



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Item 21.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 21.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility wide VOC emission limit of 49.9 tons per year established elsewhere in this permit under 6 NYCRR Part 201-7.2 also caps the facility's emissions below the applicability threshold of 6 NYCRR Part 228.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 22: Facility Permissible Emissions

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 231-2.2

Item 22.1:

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: 0NY998-00-0

PTE: 99,800 pounds per year

Name: VOC

Condition 23: Compliance Demonstration

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 231-2.2

Item 23.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 23.2:

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Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility wide VOC emission limit of 49.9 tons per year established elsewhere in this permit under 6 NYCRR Part 201-7.2 also caps the facility's emissions below the applicability thresholds of 6 NYCRR Part 231-2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

Condition 24: Compliance Demonstration

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 24.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-PAINT

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 24.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.05 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION



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Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 25: Compliance Demonstration
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 25.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-PAINT

Item 25.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 26: Compliance Demonstration
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 26.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-PRIME

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

New York State Department of Environmental Conservation

Permit ID: 9-1456-00109/00001

Facility DEC ID: 9145600109



Item 26.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.05 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: UPON REQUEST BY REGULATORY AGENCY

Condition 27: Compliance Demonstration
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 27.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-PRIME

Item 27.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

Condition 28: General Provisions

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 28.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 28.2:

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.

Item 28.3:

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.

Condition 29: Permit Exclusion Provisions

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 29.1:

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 currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant 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 by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements



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contained in such order or modification thereof unless specifically intended by this permit.

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 the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

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 the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 30: Emission Unit Definition
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 30.1:

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

Emission Unit: 1-PAINT

Emission Unit Description:

3 GARMET 66-FOOT PAINT BOOTHS UTILIZING
HVLP SPRAY EQUIPMENT.

Item 30.2:

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

Emission Unit: 1-PRIME

Emission Unit Description:

3 PRIMER BOOTHS.

Condition 31: Contaminant List
Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5.3(b)

Item 31.1:

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

CAS No: 0NY100-00-0

Name: HAP

CAS No: 0NY075-00-0

Name: PARTICULATES



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CAS No: 0NY998-00-0

Name: VOC

CAS No: 001330-20-7

Name: XYLENE, M, O & P MIXT.

**Condition 32: Air pollution prohibited
Effective between the dates of 02/27/2001 and Permit Expiration Date**

Applicable State Requirement: 6NYCRR 211.2

Item 32.1:

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 33: Emission Point Definition By Emission Unit
Effective between the dates of 02/27/2001 and Permit Expiration Date**

Applicable State Requirement: 6NYCRR 201-5

Item 33.1:

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

Emission Unit: 1-PAINT

Emission Point: PB100

Height (ft.): 35	Length (in.): 28	Width (in.): 28
NYTMN (km.): 4766.7	NYTME (km.): 212.7	Building: B1

Emission Point: PB101

Height (ft.): 35	Length (in.): 28	Width (in.): 28
NYTMN (km.): 4766.7	NYTME (km.): 212.7	Building: B1

Emission Point: PB200

Height (ft.): 35	Length (in.): 28	Width (in.): 28
NYTMN (km.): 4766.7	NYTME (km.): 212.7	Building: B1

Emission Point: PB201

Height (ft.): 35	Length (in.): 28	Width (in.): 28
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NYTMN (km.): 4766.7 NYTME (km.): 212.7 Building: B1

Emission Point: PB300

Height (ft.): 34 Length (in.): 28 Width (in.): 28

NYTMN (km.): 4766.7 NYTME (km.): 212.7 Building: B1

Emission Point: PB301

Height (ft.): 34 Length (in.): 28 Width (in.): 28

NYTMN (km.): 4766.7 NYTME (km.): 212.7 Building: B1

Item 33.2:

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

Emission Unit: 1-PRIME

Emission Point: PR001

Height (ft.): 34 Length (in.): 25 Width (in.): 25

NYTMN (km.): 4766.7 NYTME (km.): 212.7 Building: B1

Emission Point: PR002

Height (ft.): 35 Length (in.): 25 Width (in.): 25

NYTMN (km.): 4766.7 NYTME (km.): 212.7 Building: B1

Emission Point: PR003

Height (ft.): 34 Length (in.): 25 Width (in.): 25

NYTMN (km.): 4766.7 NYTME (km.): 212.7 Building: B1

Condition 34: Process Definition By Emission Unit

Effective between the dates of 02/27/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 34.1:

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

Emission Unit: 1-PAINT

Process: PNT

Process Description: Refinishing (topcoat application) of automobiles.

Emission Source/Control: PBF1A - Control

Control Type: MAT OR PANEL FILTER

Emission Source/Control: PBF1B - Control

Control Type: MAT OR PANEL FILTER

Emission Source/Control: PBF2A - Control

Control Type: MAT OR PANEL FILTER

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Emission Source/Control: PBF2B - Control
Control Type: MAT OR PANEL FILTER

Emission Source/Control: PBF3A - Control
Control Type: MAT OR PANEL FILTER

Emission Source/Control: PBF3B - Control
Control Type: MAT OR PANEL FILTER

Emission Source/Control: PB001 - Process

Emission Source/Control: PB002 - Process

Emission Source/Control: PB003 - Process

Item 34.2:

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

Emission Unit: 1-PRIME
Process: PRM
Process Description: Refinishing (primer application) of automobiles.

Emission Source/Control: PRF01 - Control
Control Type: MAT OR PANEL FILTER

Emission Source/Control: PRF02 - Control
Control Type: MAT OR PANEL FILTER

Emission Source/Control: PRF03 - Control
Control Type: MAT OR PANEL FILTER

Emission Source/Control: PR001 - Process

Emission Source/Control: PR002 - Process

Emission Source/Control: PR003 - Process