New York State Department of Environmental Conservation
Facility DEC ID: 9291100111

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 9-2911-00111/00104
Effective Date: 03/09/2001 Expiration Date: No expiration date

Permit Issued To: DUREZ CORPORATION
14131 MIDWAY RD SUITE 500
ADDISON, TX 75001

Facility: DUREZ NIAGARA
5000 PACKARD ROAD
NIAGARA FALLS, NY 14302-0863

Contact: GERALD NARDELLI
DUREZ ENGINEERED MATERIALS
5000 PACKARD ROAD
NIAGARA FALLS, NY 14302

Description:

Durez Niagara
Air State Facility Permit
Site Description

The Durez Niagara Facility is located at 5000 Packard Road within the city limits of Niagara Falls, New York. This facility produces phenolic resins, which are mainly used as glues (bonding agents) or coatings to protect surfaces, and sodium alkoxides which are used as intermediates in various agricultural and pharmaceutical applications.

The site consists of two main resin production buildings, a waste water teratment plant that treats all sanitary water, storm water, and non-hazardous process waste water, two tank farms containing storage for raw materials, finished product and hazardous/non-hazardous waste waters, and a process wastewater hazardous waste incinerator.

The Durez Niagara incinerator is an aqueous liquid disposal system consisting of a 20 million BTU enclosed flame thermal oxidizer. The feed to the incinerator consists primarily of water (77 to 98 percent) with phenol, formaldehyde, solvents and trace quantities of other organics. At the present time there is no air pollution control equipment on the incinerator.

This Air State Facility Permit Modification will allow Durez Niagara to construct and operate new air pollution control equipment on the process wastewater incinerator for compliance with the provisions of 40 CFR 63, Subpart EEE, National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors.

New York State Department of Environmental Conservation
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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: RICHARD P SWEENEY
DIVISION OF ENVIRONMENTAL PERMITS
270 MICHIGAN AVE
BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / _____

New York State Department of Environmental Conservation
Facility DEC ID: 9291100111

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.

New York State Department of Environmental Conservation
Facility DEC ID: 9291100111

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

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

New York State Department of Environmental Conservation
Permit ID: 9-2911-00111/00104 Facility DEC ID: 9291100111

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: DUREZ CORPORATION
14131 MIDWAY RD SUITE 500
ADDISON, TX 75001

Facility: DUREZ NIAGARA
5000 PACKARD ROAD
NIAGARA FALLS, NY 14302-0863

Authorized Activity By Standard Industrial Classification Code:
2821 - PLASTICS MATERIALS AND RESINS
2869 - INDUSTRIAL ORGANIC CHEMICALS,NEC

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS
Facility Level
14 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
3 6NYCRR 200.7: Maintenance of equipment
7 6NYCRR 201-1.7: Recycling and Salvage
8 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the Air
10 6NYCRR 201-3.2(a): Proof of Eligibility
11 6NYCRR 201-3.3(a): Proof of Eligibility
12 6NYCRR 202-1.1: Required emissions tests
13 6NYCRR 211.3: Visible emissions limited.
15 40CFR 82, Subpart F: Recycling and Emissions Reduction
1 6NYCRR 200.5: Sealing
2 6NYCRR 200.6: Acceptable ambient air quality
4 6NYCRR 201-1.2: Unpermitted Emission Sources
5 6NYCRR 201-1.4: Unavoidable Noncompliance and Violations
6 6NYCRR 201-1.5: Emergency Defense
9 6NYCRR 201-1.10(a): Public Access to Recordkeeping
Emission Unit Level

EU=U-INCIN
16 40CFR 63.1203, Subpart EEE: INCINERATOR APCE MACT UPGRADE

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level
17 6NYCRR 201-5: General Provisions
18 6NYCRR 201-5: Permit Exclusion Provisions
19 6NYCRR 201-5: Emission Unit Definition
20 6NYCRR 201-5.3(b): Contaminant List
21 6NYCRR 211.2: Air pollution prohibited

Permit Effective Date: 03/09/2001 Permit Expiration Date: No expiration date.

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

Condition 14: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 03/09/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 215

Item 14.1:
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 3: Maintenance of equipment
Effective between the dates of 03/09/2001 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.

Condition 7: Recycling and Salvage
Effective between the dates of 03/09/2001 and Permit Expiration Date

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 03/09/2001 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 10: Proof of Eligibility
Effective between the dates of 03/09/2001 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
Effective between the dates of 03/09/2001 and Permit Expiration Date

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: Required emissions tests
Effective between the dates of 03/09/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 12.1:
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 13: Visible emissions limited.
Effective between the dates of 03/09/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.3

Item 13.1:
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 15: Recycling and Emissions Reduction
Effective between the dates of 03/09/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 15.1:
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.

Condition 1: Sealing
Effective between the dates of 03/09/2001 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 03/09/2001 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 4: Unpermitted Emission Sources
Effective between the dates of 03/09/2001 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 03/09/2001 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 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 03/09/2001 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 9: Public Access to Recordkeeping
Effective between the dates of 03/09/2001 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.

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

Condition 16: INCINERATOR APCE MACT UPGRADE
Effective between the dates of 03/09/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 63.1203, Subpart EEE

Item 16.1:
This Condition applies to Emission Unit: U-INCIN

Item 16.2:
Durez Corporation is required to comply with all provisions of 40 CFR 63 Subpart EEE including:

63.1206: Compliance with the standards and operating requirements.
63.1207: Performance testing requirements.
63.1208: Test methods.
63.1209: Monitoring requirements.
63.1210: Notification requirements.
63.1211: Recordkeeping and reporting requirements.

63.1212: Notice of Intent to Comply and associated progress reports.
63.1213: Other general provisions and quality assurance procedures for continuous emission monitors used for hazardous waste combustors.

Durez Corporation shall construct and operate a new air pollution control system in accordance with design plans (or equivalent) necessary to achieve compliance with the performance standards set forth in 40 CFR 63 Subpart EEE. The following maximum emission limits (which reflect correction to 7% oxygen and dry basis) must be achieved:

Dioxins/Furans: 0.40 ng/dscm TEQ (EPA) provided that the combustion gas temperature at the inlet to he initial particulate matter control device is 400 deg. F. or lower based on the average of performance test run average temperatures.
Mercury: 130 ug/dscm
Particulate Matter: 0.015 grains/dscf
HCl/Cl2: 77 ppmv
CO: 100 ppmv
HC: 10 ppmv
Semi-volatile Metals (Pb, Cd): 240 ug/dscm
Low-volatile Metals (As, Be, Cr): 97 ug/dscm
Minimum DRE: 99.99% (non-dioxin waste)

Durez Corporation shall construct and install the new air pollution control system in accordance with the expedited schedule below and the provisions of its Part 373 Permit:

Within sixty (60) days after the effective date of this permit, fabrication of the APC Equipment must be complete and a ship date be agreed upon between Durez and the vendor.

Within one hundred eighty (180) days after either the effective date of this permit or Department approval of the Durez Operator Training Program, whichever comes later, the Permittee's incinerator operators must complete either the Durez Operator Training Program or ASME Operator Certification QHO-1-1994 as specified by the Department.

Within one hundred eighty (180) days after the effective date of this permit, the Permittee must complete construction and installation and begin operation of the APC Equipment.

Within two hundred ten (210) days after the effective date of this permit, the Permittee must submit Documentation of Compliance (DOC) in accordance with the requirements of 40 CFR 63.1211(d). This submission will include the Feedstream Analysis Plan; Startup, Shutdown and Malfunction Plan; the Operation and Maintenance Plan; and any other plans and records required by the MACT Rule. The Permittee shall operate in accordance with the DOC until the Notification of Compliance is submitted.

Within two hundred forty (240) days after the effective date of this permit or 60 days after approval of the Comprehensive Performance Test (CPT) plan, whichever comes later, the Permittee must complete Comprehensive Performance Test activities on the new incinerator system as per the protocol approved by the Department. The Permittee must notify the Department of its intent to conduct the CPT at least 30 days prior to the planned start date.

Within ninety (90) days after completion of the CPT, the Permittee must submit a Notification of Compliance (NOC) documenting compliance or noncompliance in accordance with 40 CFR 63.1210(d) and 63.1207(j) as well as submit any necessary Part 373 permit modification requests. Upon postmark of the NOC, the Permittee is to operate in accordance with the NOC until the Department makes a final determination regarding permit modification requests.

STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

Condition 17: General Provisions
Effective between the dates of 03/09/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 17.1:
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 17.2:
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 17.3:
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 18: Permit Exclusion Provisions
Effective between the dates of 03/09/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 18.1:
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

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 19: Emission Unit Definition
Effective between the dates of 03/09/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 19.1:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-UMISC
Emission Unit Description:
ALL MISCELLANEOUS FACILITY SOURCES
INCLUDING A WELDING BOOTH, BELT FLAKER
COOLING FANS, A LIQUID RESIN FILTER
CHANGING BOOTH, RESIN COOLING FLOOR FANS,
PILOT PLANT RESIN PRODUCTION EQUIPMENT, AND
A BOILER.

Building(s): BOILER
M-1
M-3
MAINT
W-6

Item 19.2:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-INCIN
Emission Unit Description:
PROCESS WASTEWATER INCINERATOR

Building(s): BOILER

Item 19.3:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-KETTL

Emission Unit Description:
ALL FACILITY PRODUCTION KETTLES AND ASSOCIATED CONDENSERS, VACUUM PUMPS, RECEIVERS, AND AGITATORS.

Building(s): M-3
M-7

Item 19.4:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-SOLID
Emission Unit Description:
ALL FACILITY SOLID MATERIAL HANDLING UNITS INCLUDING DUST COLLECTORS AND RIBBON MIXERS AT RESIN GRINDING AND DRUMMING OPERATIONS.

Building(s): M-3
M-4
M-5
M-6
W-1
W-6

Item 19.5:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-TANKS
Emission Unit Description:
ALL FACILITY PROCESS TANKS INCLUDING STORAGE TANKS, WEIGH TANKS, FILTER TANKS, DRUMS, AND TANK WAGONS.

Building(s): M-3
M-7
TANKS
W-6

Condition 20: Contaminant List
Effective between the dates of 03/09/2001 and Permit Expiration Date

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

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

No contaminants.

Condition 21: Air pollution prohibited

Effective between the dates of 03/09/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 21.1:
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.