

New York State Department of Environmental Conservation
Facility DEC ID: 9291100112



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-2911-00112/00234
Effective Date: 12/12/2006 Expiration Date: 12/11/2011

Permit Issued To: OCCIDENTAL CHEMICAL CORP
5005 LBJ FREEWAY
DALLAS, TX 75244

Contact: OXYCHEM NIAGARA
P.O. BOX 344
NIAGARA FALLS, NY 14302-0344

Facility: OXYCHEM NIAGARA - MAIN PLANT
47TH ST & BUFFALO AVE
NIAGARA FALLS, NY 14302-0344

Contact: JAMES J CZAPLA
OCCIDENTAL CHEMICAL CORPORATION
47TH ST AND BUFFALO AVE
NIAGARA FALLS, NY 14302-0344
(716) 278-7534

Description:
Occidental Chemical Corporation's Niagara Falls Facility consists of two main sections: chlorine/caustic production and the specialty chemicals/chlorine derivatives production.

This permit is a renewal of the existing Title V permit for the specialty chemicals/chlorine derivatives production portion of the facility which primarily manufactures various halogenated aromatic organic compounds. This renewal permit also covers remedial activities at the facility.

Emission units associated with plant operations are as follows:

| | |
|--------|---|
| A00001 | Facility Refrigeration Systems |
| A00002 | Facility Fugitive Emissions |
| A00003 | Potable/Semi Permanent Vacuum Units |
| A00008 | Transfer Operations not regulated by the HON. |
| A00009 | Miscellaneous Exempt Combustion Sources |
| D00002 | "D" Area Dechlorane Plus Dust Collector System |
| F00001 | "F" Area Groundwater Storage and Treatment System |
| M00002 | "M" Area Process Storage Tanks |
| M00003 | Dechlorane Plus Process Vents |
| M00004 | "M Area Ventilation System |
| U0000A | "U" Area Waste Water Tank |

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Support facilities at the plant are as follows:

- 1) Waste storage
- 2) General building ventilation systems
- 3) Product loading/packaging
- 4) Maintenance facilities

The facility is permitted primarily under the following regulations:

- 1) 6 NYCRR Part 201-6 requires the facility to obtain a Title V permit
- 2) 6 NYCRR Part 212 requires process sources to install air emission control devices depending on the type of contaminant emitted and the emission rate potential.
- 3) 6 NYCRR Part 229 regulates volatile organic liquid storage tanks
- 4) 40 CFR 61 Subpart FF National Emission Standards for Benzene Waste Operations

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, modifications and transfers
Applications for Permit Renewals and Modifications
Permit modifications, suspensions or revocations by the Department
Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 9
HEADQUARTERS
Submission of application for permit modification or renewal-REGION 9
HEADQUARTERS



DEC GENERAL CONDITIONS

****** General Provisions ******

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:



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

Condition 4: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

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 4.2:

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

Item 4.3:

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

Condition 5: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 5.1:

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

Item 6.1:

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;

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- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

Condition 7: Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 7.1:

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

Condition 8: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 8.1:

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 - TITLE V PERMIT

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5005 LBJ FREEWAY
DALLAS, TX 75244

Facility: OXYCHEM NIAGARA - MAIN PLANT
47TH ST & BUFFALO AVE
NIAGARA FALLS, NY 14302-0344

Authorized Activity By Standard Industrial Classification Code:
2869 - INDUSTRIAL ORGANIC CHEMICALS,NEC

Permit Effective Date: 12/12/2006

Permit Expiration Date: 12/11/2011



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 201-3.2(a): Exempt Sources - Proof of Eligibility
- 13 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 14 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 15 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 16 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 17 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 18 6NYCRR 202-1.1: Required Emissions Tests
- 19 6NYCRR 211.3: Visible Emissions Limited
- 20 40CFR 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 22 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 201-6: Compliance Certification
- 25 6NYCRR 201-7.2: Facility Permissible Emissions
- *26 6NYCRR 201-7.2: Capping Monitoring Condition
- *27 6NYCRR 201-7.2: Capping Monitoring Condition
- *28 6NYCRR 201-7.2: Capping Monitoring Condition
- 29 6NYCRR 212.6(a): Compliance Certification
- 30 6NYCRR 212.9(b): Compliance Certification
- 31 6NYCRR 229.3: Compliance Certification
- 32 40CFR 61, NESHAP Subpart A: Compliance Certification
- 33 40CFR 61, NESHAP Subpart FF: Compliance Certification
- 34 40CFR 68.10(d), Subpart A: Program 3 - applicability
- 35 40CFR 82, Subpart B: Servicing of Motor Vehicle Air Conditioners (MVAC)
- 36 40CFR 82, Subpart G: Significant New Alternatives Policy Program

Emission Unit Level

- 37 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 38 6NYCRR 201-6: Process Definition By Emission Unit



EU=D-00002,EP=D0101,Proc=D04
39 6NYCRR 212.4(c): Compliance Certification

EU=D-00002,EP=D0102,Proc=D03
40 6NYCRR 212.4(c): Compliance Certification

EU=D-00002,EP=D0104,Proc=D03
41 6NYCRR 212.4(c): Compliance Certification

EU=F-00001,Proc=F01
42 6NYCRR 212.9(b): Compliance Certification

EU=F-00001,EP=F5202,Proc=F02
43 6NYCRR 212.11(b)(1): Compliance Certification

EU=M-00002,Proc=M04
44 6NYCRR 212.9(b): Compliance Certification

EU=M-00003,Proc=M08
45 6NYCRR 212.9(b): Compliance Certification

EU=U-0000A,Proc=U0A
46 6NYCRR 212.9(b): Compliance Certification

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- 47 ECL 19-0301: Contaminant List
- 48 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 49 6NYCRR 211.2: Air pollution prohibited
- 50 6NYCRR 211.2: Compliance Demonstration

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 12/12/2006 and 12/11/2011

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 12/12/2006 and 12/11/2011

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 12/12/2006 and 12/11/2011

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 12/12/2006 and 12/11/2011

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 12/12/2006 and 12/11/2011

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



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

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

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

If any of the above conditions are met, the source must notify the permitting authority by telephone or facsimile based on the timetable listed in paragraphs (1) through (4) of this section. 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 the occurrence. All deviations reported under paragraph (1) through (4) of this section must also be identified in the 6 month monitoring report required above.

If the permittee seeks to have a violation excused as provided in 201-1.4, the permittee shall report such violations as required under 201-1.4(b). However, in no case may reports of any deviation be on a less frequent basis than those described in paragraphs (1) through (4) above. 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.

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

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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 6: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

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 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;

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- the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;
- and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

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

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

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

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

The address for the RAPCE is as follows:



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270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
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 12/12/2006 and 12/11/2011

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 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 8.1:
(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and

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(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 12/12/2006 and 12/11/2011**

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 12/12/2006 and 12/11/2011**

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 12/12/2006 and 12/11/2011**

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 11.1:

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



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Condition 12: Exempt Sources - Proof of Eligibility
Effective between the dates of 12/12/2006 and 12/11/2011

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

Item 12.1:

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 13: Trivial Sources - Proof of Eligibility
Effective between the dates of 12/12/2006 and 12/11/2011

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

Item 13.1:

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 14: Standard Requirement - Provide Information
Effective between the dates of 12/12/2006 and 12/11/2011

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

Item 14.1:

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 15: General Condition - Right to Inspect
Effective between the dates of 12/12/2006 and 12/11/2011

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



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Item 15.1:

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 16: Standard Requirements - Progress Reports
Effective between the dates of 12/12/2006 and 12/11/2011

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

Item 16.1:

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

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 17: Off Permit Changes
Effective between the dates of 12/12/2006 and 12/11/2011

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

Item 17.1:

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



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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 18: Required Emissions Tests
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 18.1:

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 19: Visible Emissions Limited
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 211.3

Item 19.1:

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 20: Accidental release provisions.
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 40CFR 68

Item 20.1:

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:



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- 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 21: Recycling and Emissions Reduction
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 21.1:

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 22: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 22.1:

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 23: Emission Unit Definition
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1:

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

Emission Unit: D-00001



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Emission Unit Description:

"D" Area Organic Storage Tanks

Several organic storage tanks are located in "D" Area.

These multiple service tanks are utilized primarily for storage of raw materials and chlorinated compounds. Each tank is properly equipped to satisfy the requirements of applicable regulations (including the Hazardous Organic NESHAPs as appropriate).

Item 23.2:

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

Emission Unit: D-00002

Emission Unit Description:

"D" Area Dechlorane Plus Dust Collector System

The Dechlorane Plus Process includes equipment for conveying, grinding, classifying, storing, and packaging of Dechlorane Plus product. The potential for dust generation is created during these operations. The potential for particulate air emissions is mitigated by utilization of point source ventilation and particulate emission control equipment.

Building(s): D210

Item 23.3:

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

Emission Unit: F-00001

Emission Unit Description:

"F" Area Ground Water Storage and Treatment System

The "F" Area Ground Water Storage and Treatment System consists of ground water storage, an organic phase separator, air stripper, regenerative thermal oxidizer and activated carbon treatment system. Ground water is collected using pumps in a series of bedrock wells. Phased organics are removed using a decanter system. The decanter's aqueous phase is passed through an air stripper for removal of solubilized organics. The stripper's aqueous discharge receives further treatment using activated carbon for additional organics removal. The organics contaminated air stream from the air stripper is fed to a regenerative thermal oxidation unit for thermal destruction to CO₂ and H₂O. Hydrogen chloride is also discharged from the vent.

Building(s): BLDG F52

Item 23.4:



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

Emission Unit: M-00002

Emission Unit Description:

"M" Area Organic Storage Tanks

Several organic storage tanks are located in "M" Area.

These multiple service tanks are utilized primarily for

storage of organic raw materials and chlorinated

compounds. Each tank is properly equipped to satisfy

requirements of applicable regulations.

Building(s): BLDG M22

M15 TK FM

W OF M22

Item 23.5:

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

Emission Unit: M-00003

Emission Unit Description:

Dechlorane Plus Process Vents

The M22 Dechlorane Plus process equipment is vented

through a vent condenser, which uses chilled water or

chilled glycol for cooling and condensing of organics from

the vent gas, then discharges through the activated carbon

system. The activated carbon system is monitored with a

portable hydrocarbon instrument for breakthrough on a

daily basis (when the process is in production). If the

hydrocarbon reading is 1000 ppm or greater, then the

activated carbon will be changed. A spare carbon unit is

typically piped in and ready. The Dechlorane Plus vent

condenser condenses organics that are normally contained

in the air or nitrogen vent streams from: the Dechlorane

Plus Dryer system, the Dech Plus reactors, and from

various other process tanks that are connected to the

common vent header system. The sampling records will be

maintained for five years and will be available for

inspection when requested by the agency.

Building(s): BLDG M22

Item 23.6:

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

Emission Unit: M-00004

Emission Unit Description:

"M" Area Building Ventilation

Building M-22 has general building ventilation systems,

which include spot ventilation duct work.



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Building(s): M22

Item 23.7:

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

Emission Unit: U-0000A

Emission Unit Description:

"U" Area Waste Water Tanks

The "U" Area Wastewater Treatment System includes a 100,000 gallon wastewater storage tank and a 5000 gallon pH neutralization tank prior to feeding a Calgon activated carbon system or direct discharge to the sanitary sewer without carbon treatment. This system may be eliminated in the future by direct discharge from the wells to the sanitary sewer or the S/F area remedial treatment system. The wastewater storage tank is vented through two activated carbon vent adsorbers.

Building(s): S OF U60

Condition 24: Compliance Certification

Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 201-6

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

Monitoring Description:

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

1) Facility Refrigeration Systems - Emission Unit A00001

Freon compounds are utilized as refrigerants in the facility's processing, administrative and remedial operations. Freon emissions at the facility are primarily fugitive in nature and occur as incidental losses. The amount of such emissions is based on material balance. Records maintained by the facility in conjunction with those provided by service contractors indicate the amount of refrigerant added to the various systems and the amounts recycled or recovered. The amount of refrigerant

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added to the refrigeration system is assumed to be equal to the amount lost to the atmosphere unless additional information indicates otherwise.

The facility will comply with all the applicable requirements under 40 CFR 82 (Stratospheric Ozone Depleting Substances). This will include (as applicable) product labeling, maintenance, service, repair, and disposal of refrigerant containing equipment, appliances, and motor vehicles; leak repair requirements; and recordkeeping requirements for refrigerant purchased.

Buildings: Plantwide

2) Facility Fugitive Emissions - Emission Unit A00002

The facility contains a variety of potential sources for fugitive emissions. A portion of these sources (primarily relating to leaks of VOCs and various HAPs compounds) are regulated under New York State and Federal LDAR programs.

These programs are focused on the loss of volatile compounds due to leakage from pumps, valves, flanges, etc. This emission unit includes these losses except where the emissions are included in point source emissions (e.g. fugitives which are included in the emissions from building ventilation systems) For the purpose of inventory completeness additional fugitives resulting from various maintenance activities (equipment opening, welding, painting, sandblasting, degreasing and chemical cleaning, etc.) and spills may be included in this emission unit.

The facility is currently not subject to any LDAR program with the exception of RCRA Subpart BB that is not covered by this permit. Certain process scenarios covered by this permit have the potential of making one or more of the following LDAR programs applicable if the process scenario is implemented;

- a) NYCRR 6 Part 236 – Synthetic Organic Chemical Manufacturing Facility Component Leaks
- b) 40 CFR Part 63 – Subpart H—National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks
- c) 40 CFR Part 60 - Subpart VV—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry

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If a process scenario is implemented that triggers the applicability of one of the above rules, the requirements of the given rule will be followed. These rules contain detailed work practice, monitoring, notification, recordkeeping, and reporting requirements.

Buildings: Plantwide

3) Portable/Semi-Permanent Vacuum Units - Emission Unit A00003

The OxyChem facility utilizes vacuum units charged with water or caustic to perform a variety of functions associated with the control of emissions which can result from the various maintenance activities, material transfer operation, sampling activities, process upsets, emergency response activities, or other activities which might result in significant generation of fugitive emissions. The portable units are typically viewed as being exempt from permitting because they are portable. However, some of these units may be viewed as semi-permanent because of their utilization at a given plant location for an extended period of time. Such equipment is included in this emission unit.

Buildings: Plantwide

4) Transfer Operations Not Regulated by HON - Emission Unit A00008

This facility conducts transfer operations involving the transfer of liquid compounds not regulated by HON into a tank truck or rail car.

Buildings: Plantwide

5) Miscellaneous Exempt Combustion Sources - Emission Unit A00009

The facility contains numerous combustion sources which are exempt from permitting. However, they are incorporated into the facility's emission inventory reporting requirements. Such sources include space heaters, ovens, etc.

Buildings: Plantwide

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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Condition 25: Facility Permissible Emissions
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 25.1:

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

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

CAS No: 000077-47-4 PTE: 19,800 pounds per year
Name: HEXACHLOROCYCLOPENTADIENE

CAS No: 000127-18-4 PTE: 19,800 pounds per year
Name: PERCHLOROETHYLENE

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

Condition 26: Capping Monitoring Condition
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 26.1:

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

40CFR 63-FFFF

Item 26.2:

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

Item 26.3:

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

Item 26.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has



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operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 26.5:

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

Item 26.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000127-18-4 PERCHLOROETHYLENE

Item 26.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The emissions of any individual Hazardous Air Pollutant (HAP) from the facility shall not exceed 9.9 tons per year during any consecutive 12 month period. At the beginning of each month, the facility shall calculate total individual HAP emissions for the previous 12 month period.

For each calendar year that this permit is in effect, the monthly records of annual maximum individual HAP emissions must be submitted to the Department within 30 days of the end of a calendar year.

By maintaining actual emissions below the major source thresholds of 10 tons per year of any individual HAP, the facility will not be required to comply with provisions of the Miscellaneous Organic NESHAP (40 CFR 63 Subpart FFFF) (MON MACT) when this regulation becomes effective.

NOTE: Compliance with Potential to Emit (PTE) of 19,800 pounds per year for CAS No: 000127-18-4 (PERCHLOROETHYLENE) mentioned elsewhere in this permit is required once 40 CFR 63 Subpart FFFF (MON MACT) becomes effective.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: SOLVENT

Parameter Monitored: PERCHLOROETHYLENE



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Upper Permit Limit: 9.9 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
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 27: Capping Monitoring Condition
Effective between the dates of 12/12/2006 and 12/11/2011

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-FFFF

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:

The Compliance Certification activity will be performed for the Facility.

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

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Item 27.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The total Hazardous Air Pollutant (HAP) emissions from the facility shall not exceed 24.9 tons per year during any consecutive 12 month period. At the beginning of each month the facility shall calculate total HAP emissions for the previous 12 month period. For each calendar year that this permit is in effect, the monthly records of annual maximum total emissions of HAPs must be submitted to the Department within 30 days of the end of a calendar year.

By maintaining actual emissions below the major source threshold 25 tons per year of total HAPs, the facility will not be required to comply with provisions of the Miscellaneous Organic NESHAP (40 CFR 63 Subpart FFFF) (MON MACT) when this regulation becomes effective.

NOTE: Compliance with Potential to Emit (PTE) of 49,800 pounds per year for CAS No: 0NY100-00-0 (HAP) mentioned elsewhere in this permit is required once 40 CFR 63 Subpart FFFF (MON MACT) becomes effective.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: SOLVENT

Parameter Monitored: HAP

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

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 28: Capping Monitoring Condition
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 28.1:



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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-FFFF

Item 28.2:

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

Item 28.4:

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 28.5:

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 28.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000077-47-4 HEXACHLOROCYCLOPENTADIENE

Item 28.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The emissions of any individual Hazardous Air Pollutant (HAP) from the facility shall not exceed 9.9 tons per year during any consecutive 12 month period. At the beginning of each month, the facility shall calculate total individual HAP emissions for the previous 12 month period. For each calendar year that this permit is in effect, the



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monthly records of annual maximum individual HAP emissions must be submitted to the Department within 30 days of the end of a calendar year.

By maintaining actual emissions below the major source thresholds of 10 tons per year of any individual HAP, the facility will not be required to comply with provisions of the Miscellaneous Organic NESHAP (40 CFR 63 Subpart FFFF) (MON MACT) when this regulation becomes effective.

NOTE: Compliance with Potential to Emit (PTE) of 19,800 pounds per year for CAS No: 000077-47-4 (HEXACHLOROCYCLOPENTADIENE) mentioned elsewhere in this permit is required once 40 CFR 63 Subpart FFFF (MON MACT) becomes effective.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: SOLVENT
Parameter Monitored: HEXACHLOROCYCLOPENTADIENE
Upper Permit Limit: 9.9 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
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 29: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 29.1:

The Compliance Certification activity will be performed for the Facility.

Item 29.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility



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owner/operator conducting daily survey (non-method 9 observation, non-quantitative opacity reading) of visible emissions from facility operating sources. If any atypical visible emissions are identified, corrective action is required as appropriate for the source. Records of daily survey of visible emissions must be retained for five years. The Department reserves the right to perform or require the performance of a method 9 opacity evaluation by firm representative.

Emission points that must be visual inspected daily include:

| Emiss Pt. | Description |
|-------------------------|---|
| EP-D0101 Ventilation | Dechlorane Plus Point Source |
| EP-D0102 | Dechlorane Plus Crude Storage Hopper Vent |
| EP-D0104 | Dechlorane Plus Product Storage Hopper Vent |
| EP-M2205 | Dechlorane Plus Vent Condenser |

The following emission points are very minor sources that do not require daily visual observation of the stacks:

| Emiss. Pt. | Description |
|------------|--|
| EP-D0002 | 24,000 gal Hexachlorocyclopentadiene (56) Storage Tank |
| EP-M0204 | Perchloroethylene Storage Tank |
| EP-M0205 | Hexachloropentadiene (C56) Storage Tank |
| EP-M0515 | Cyclo-Octadiene (COD) Storage Tank |
| EP-M2209 | M22 General Ventilation |
| EP-U6001 | Common Vent from Wastewater Storage |
| EP-U6003 | Vent from pH Adjustment Tank (6,185 Gal) |

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



Condition 30: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.9(b)

Item 30.1:

The Compliance Certification activity will be performed for the Facility.

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility uses vacuum units to perform a variety of functions to ensure a safe and environmentally secure work place. Examples of these activities include the following:

- 1) Maintenance activities which require: a) fugitive emission control during a line break; evacuation of a vessel before entry; and/or, providing vacuum on a system.
- 2) Fugitive emission control during maintenance activities, process upset conditions, and sampling activities.
- 3) Material transfer operations (e.g. , residue drum loading, trailer loading) where industrial hygiene, odor or other environmental or safety concerns which require additional controls.
- 4) Emergency response for spills, line breaks, or leaks.

The truck-mounted units are exempt from permitting because they are portable.

However, some of the other units (e.g. trailer and skid-mounted units) may be used at a single plant location for an extended period of time. Furthermore, some of the utilities provided to the units need to be "hard piped" in order to meet facility safety requirements. As such, some units may be viewed as permanent air pollution control devices. The intention of this condition is to cover these units.

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Before a vacuum unit is placed into service, a determination will be made as to (1) the type of unit which will be used and (2) the type and quantities of contaminants which may be vented to the unit. Examples of items which will be considered include:

- a) Should the vacuum unit be charged with water or caustic?
- b) Is a carbon bed necessary on the exhaust of the vacuum unit?

If caustic is used in the vacuum unit its concentration will be checked daily when in use. If the total alkalinity is less than 10 grams per liter, additional reagent will be added to adjust the concentration back into the appropriate range and/or the reagent will be removed and the scrubber will be charged with fresh reagent. If carbon is used on the system, its discharge will be checked with a portable VOC instrument on a weekly basis for breakthrough. If the VOC reading is 50 ppm or greater, than the carbon vapor pack will be changed out.

The sampling records will be recorded, retained for five years and will be available for inspection when requested by the agency.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 31: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 229.3

Item 31.1:

The Compliance Certification activity will be performed for the Facility.

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Conservation Vents in place to meet Part 229(1)(d)(2)(viii) – tanks less than 10,000 gallons and no other control:



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a) Perchloroethylene Storage Tank
EU-M00002 PRO-M04 EP-M0204 ES-M0401 EC-M0402 –
conservation vent

Note: Conservation vents are incorporated into the facility's preventive maintenance (PM) program and the maintenance procedures listed in the PM program must be followed for this equipment.

Tanks with submerged fill lines to meet Part 229(1)(d)(2)(vii):

a) COD tank (15,000 gal)
EU-M00002 PRO-M04 EP-M0515 ES-M0405

Tanks that are <10,000 gal but contain activated carbon vent sorb technology:

a) M22- C56 storage tank
EU-M00002 PRO-M04 EP-M0205 ES-M0403 EC-M0404

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 32: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 40CFR 61, NESHAP Subpart A

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000071-43-2 BENZENE

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All applicable requirements of 40CFR Part 61 Subpart A -General Provisions apply to Oxy's Specialty Chemicals/Chlorine Derivatives Plant due to the applicability of the standards of Subpart M - National Emissions Standards for Asbestos and Subpart FF - National Emission Standards for Benzene Waste Operations of 40CFR Part 61 to this facility.



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 33: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 40CFR 61, NESHAP Subpart FF

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000071-43-2 BENZENE

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The total annual benzene quantity in the process waste at the OXY Specialty Chemicals/Chlorine Derivatives Plant is less than 1 Mg/yr (<2200 lbs/ yr). Per 40CFR Part 61.355 (a)(5)(i) OXY will comply with the record keeping requirements of 40CFR Part 61.356 and the reporting requirements of 40CFR Part 61.357. Per 40CFR Part 61.355(a)(5)(ii), OXY will repeat the determination of total annual benzene quantity from the facility waste - whenever there is a change in the process(es) generating the waste(s) that could cause the total annual benzene quantity from the facility to increase to 1 Mg/yr or more. In the event that the total annual amount of benzene changes, the owner will be required to meet the appropriate requirement in 40CFR Part 61.355(a) that apply to that amount and notify the Administrator of the change in applicable requirements.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL TOTAL

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 34: Program 3 - applicability
Effective between the dates of 12/12/2006 and 12/11/2011



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Applicable Federal Requirement: 40CFR 68.10(d), Subpart A

Item 34.1:

Program 3 eligibility requirements. A covered process is subject to Program 3 if the process does not meet the requirements of paragraph (b) of §68.10, and if either of the following conditions is met:

- (1) The process is in SIC code 2611, 2812, 2819, 2821, 2865, 2869, 2873, 2879, or 2911; or
- (2) The process is subject to the OSHA process safety management standard, 29 CFR 1910.119.

The New York State Department of Environmental Conservation is not implementing the Chemical Accident Prevention Program (Part 68). All questions and plan submittals should be sent to the US Environmental Protection Agency, Region 2, New York City.

**Condition 35: Servicing of Motor Vehicle Air Conditioners (MVAC)
Effective between the dates of 12/12/2006 and 12/11/2011**

Applicable Federal Requirement: 40CFR 82, Subpart B

Item 35.1:

If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

**Condition 36: Significant New Alternatives Policy Program
Effective between the dates of 12/12/2006 and 12/11/2011**

Applicable Federal Requirement: 40CFR 82, Subpart G

Item 36.1:

The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, Significant New Alternatives Policy Program.

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

**Condition 37: Emission Point Definition By Emission Unit
Effective between the dates of 12/12/2006 and 12/11/2011**

Applicable Federal Requirement: 6NYCRR 201-6

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Item 37.1:

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

Emission Unit: D-00001

Emission Point: D0002

Height (ft.): 39

Diameter (in.): 2

NYTMN (km.): 4777.4

NYTME (km.): 173.8

Building: W BLDG D11

Item 37.2:

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

Emission Unit: D-00002

Emission Point: D0101

Height (ft.): 65

Length (in.): 10

Width (in.): 13

NYTMN (km.): 4777.9

NYTME (km.): 171.1

Building: D210

Emission Point: D0102

Height (ft.): 64

Diameter (in.): 12

NYTMN (km.): 4777.9

NYTME (km.): 171.1

Building: D210

Emission Point: D0104

Height (ft.): 69

Diameter (in.): 12

NYTMN (km.): 4777.9

NYTME (km.): 171.1

Building: D210

Item 37.3:

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

Emission Unit: F-00001

Emission Point: F5201

Height (ft.): 12

Diameter (in.): 10

NYTMN (km.): 4777.9

NYTME (km.): 171.1

Building: BLDG F52

Emission Point: F5202

Height (ft.): 50

Diameter (in.): 20

NYTMN (km.): 4777.9

NYTME (km.): 171.1

Building: BLDG F52

Item 37.4:

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

Emission Unit: M-00002

Emission Point: M0204

Height (ft.): 1

Diameter (in.): 2



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NYTMN (km.): 4777.9 NYTME (km.): 171.1 Building: W OF M22

Emission Point: M0205

Height (ft.): 1

Diameter (in.): 2

NYTMN (km.): 4777.9 NYTME (km.): 171.1 Building: W OF M22

Emission Point: M0515

Height (ft.): 26

Diameter (in.): 5

NYTMN (km.): 4777.4 NYTME (km.): 173.6 Building: BLDG M15

Item 37.5:

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

Emission Unit: M-00003

Emission Point: M2205

Height (ft.): 79

Diameter (in.): 3

NYTMN (km.): 4777.2 NYTME (km.): 173.8 Building: BLDG M22

Item 37.6:

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

Emission Unit: M-00004

Emission Point: M2209

Height (ft.): 93

Diameter (in.): 24

NYTMN (km.): 4777.2 NYTME (km.): 173.8 Building: M22

Item 37.7:

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

Emission Unit: U-0000A

Emission Point: U6001

Height (ft.): 4

Diameter (in.): 4

NYTMN (km.): 4777.9 NYTME (km.): 171.1 Building: S OF U60

Emission Point: U6003

Height (ft.): 23

Diameter (in.): 6

NYTMN (km.): 4777.7 NYTME (km.): 171.1 Building: S OF U60

Condition 38: Process Definition By Emission Unit

Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 201-6

Item 38.1:



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

Emission Unit: D-00001

Process: D01

Source Classification Code: 3-01-830-01

Process Description:

Emission unit D00001 contains several volatile organic storage tanks. Compliance must be maintained with NYCRR Part 229 (Petroleum and Volatile Organics Liquid Storage and Transfer).

Emission Source/Control: D0101 - Process

Item 38.2:

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

Emission Unit: D-00001

Process: D02

Source Classification Code: 3-01-830-01

Process Description:

Emission unit D00001 contains several volatile organic storage tanks. When the organic stored in a tank is not a regulated HAPs compound and is either not used as a raw material by a Hazardous Organic NESHAPs (HON) process or is not produced as a product in a HON regulated process, the tank's construction and operation is not regulated under the HON. However, compliance must be maintained with NYCRR Part 229 (Petroleum and Volatile Organics Liquid Storage and Transfer).

Emission Source/Control: D0201 - Process

Item 38.3:

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

Emission Unit: D-00002

Process: D03

Source Classification Code: 3-01-258-80

Process Description:

Unground Dechlorane plus is transferred from the Dechlorane Plus dryer (located in Bldg. M22) to a storage hopper located in Bldg. D-210. The hopper is equipped with a vent bag collector. The unground Dechlorane Plus is fed at a controlled rate from the storage hopper to a pulverizer. The ground and classified product is transferred by an airveyor system to the product storage hopper from which it is packed out. The top of the



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product storage hopper is equipped with a dust collector system for removal of particulates from the airveyor prior to discharge to the atmosphere.

Emission Source/Control: D0302 - Control
Control Type: FABRIC FILTER

Emission Source/Control: D0304 - Control
Control Type: FABRIC FILTER

Emission Source/Control: D0301 - Process

Emission Source/Control: D0303 - Process

Item 38.4:

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

Emission Unit: D-00002

Process: D04

Source Classification Code: 3-01-258-80

Process Description:

A point source ventilation system is utilized to minimize particulate emissions to the ambient air from the Dechlorane Plus Process grinding, pack out, and check scale systems located in Bldg. No. D210. The ventilation air is exhausted through a baghouse for removal of particulates prior to discharge to the atmosphere. Recovered Dechlorane Plus is recycled into the product stream.

Emission Source/Control: D0402 - Control
Control Type: FABRIC FILTER

Emission Source/Control: D0401 - Process

Item 38.5:

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

Emission Unit: F-00001

Process: F01

Source Classification Code: 5-04-001-51

Process Description:

Ground water in the "F" Area is pumped by a series of collection wells into a storage tank. The contaminated ground water is fed from this storage tank at a controlled rate to the ground water treatment system.



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Emission Source/Control: F0102 - Control
Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: F0101 - Process

Item 38.6:

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

Emission Unit: F-00001

Process: F02

Source Classification Code: 5-04-105-60

Process Description:

The "F" Area ground water treatment system includes an organic phase separator, air stripper, regenerative thermal oxidizer, and activated carbon system. The contaminated air stream from the air stripper is fed to the regenerative thermal oxidation unit for destruction of organics.

Emission Source/Control: F0202 - Control
Control Type: DIRECT FLAME AFTERBURNER

Emission Source/Control: F0201 - Process

Item 38.7:

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

Emission Unit: M-00002

Process: M04

Source Classification Code: 3-01-830-01

Process Description:

Emission unit M00002 contains several volatile organic (VOC) storage tanks which are associated with the Dechlorane Plus Process. Compliance must be maintained with 6NYCRR Part 229 (Petroleum and Volatile Organic Liquid Storage and Transfer).

Emission Source/Control: M0402 - Control
Control Type: CONSERVATION VENT

Emission Source/Control: M0404 - Control
Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: M0409 - Control
Control Type: CONSERVATION VENT

Emission Source/Control: M0401 - Process

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Emission Source/Control: M0403 - Process

Emission Source/Control: M0405 - Process

Emission Source/Control: M0408 - Process

Item 38.8:

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

Emission Unit: M-00003

Process: M08

Source Classification Code: 4-90-002-02

Process Description:

The Dechlorane Plus process equipment is vented through a vent condenser which uses chilled water or chilled glycol for cooling and condensing of organics for recycle back to the system. The Dechlorane Plus process vent condenser condenses organics from a common system which vents various vessels and process equipment (reactors, C-56 treater tank, centrifuge feed tank, residue storage tank, recycle liquor tank, perchloroethylene storage tanks) utilized in the production of Dechlorane Plus. The vent from the Dechlorane Plus dryer condenser is vented through the same vent condenser. The Dechlorane Plus dryer vent condenser condenses organics from the excess air stream which is vented from the Dechlorane Plus dryer system. The discharge from the vent condensers is passed through an activated carbon system prior to atmospheric discharge. Note: Emission Source/Control M1005 (ACTIVATED CARBON ADSORPTION) can also vent through this process.

Emission Source/Control: M0704 - Control
Control Type: REFRIGERATED CONDENSER

Emission Source/Control: M0705 - Control
Control Type: REFRIGERATED CONDENSER

Emission Source/Control: M0806 - Control
Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: M0701 - Process

Emission Source/Control: M0702 - Process

Emission Source/Control: M0703 - Process



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Item 38.9:

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

Emission Unit: M-00004

Process: M10

Source Classification Code: 3-01-888-01

Process Description:

Building M22 has a general building ventilation system which includes spot ventilation duct work.

Emission Source/Control: M1004 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: M1005 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: M1001 - Process

Emission Source/Control: M1002 - Process

Emission Source/Control: M1003 - Process

Item 38.10:

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

Emission Unit: U-0000A

Process: U0A

Source Classification Code: 3-01-820-03

Process Description:

The "U" Area Wastewater Treatment System includes a 100,000 gallon wastewater storage tank and a 5000 gallon pH neutralization tank prior to feeding a Calgon activated carbon system or direct discharge to the sanitary sewer without carbon treatment. This system may be eliminated in the future by direct discharge from the wells to the sanitary sewer or the S/F area remedial treatment system. The wastewater storage tank is vented through two activated carbon vent adsorbers.

Emission Source/Control: U020C - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: U020A - Process

Emission Source/Control: U020D - Process

Emission Source/Control: U020E - Process



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Emission Source/Control: U020F - Process

Condition 39: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 39.1:

The Compliance Certification activity will be performed for:

Emission Unit: D-00002 Emission Point: D0101
Process: D04

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

Item 39.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emission Unit – D00002 – “D” Area Dechlorane Plus Vent
Dust Collector Systems
Process Unit D04 – Dec Plus Point Source Ventilation
System for Grinding, Pack Out and Check Scale
System
Emission Point D0101 – Dec Plus Point Source
Ventilation
Emission Control EC-D0402- Dust Collector

A point source ventilation system is utilized to minimize particulate emissions to the ambient air from the Dec Plus process grinding, pack out, and check scale system located in Building 210. The ventilation air is exhausted through a bag house for removal of particulates prior to its discharge to the atmosphere. The dust collector will be in operation whenever the grinding and bagging system is in operation. The pressure drop across the dust collector will be monitored per shift when in operation and the pressure will be maintained between the approximate range of 1 to 6 inches of water. This pressure drop will be noted in the operating log, retained for five years and will be available for inspection when requested by the agency.

NOTE: BAGHOUSE MONITORING OF PRESSURE CHANGE MUST

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BE
CONDUCTED ONCE PER SHIFT BY OXYCHEM PERSONNEL
WHENEVER PROCESS IS IN OPERATION. PRESSURE DROP
LIMITS OF MONITORING ARE INTENDED TO BE INDICATORS
THAT THE GRAIN LOADING STANDARD, EITHER 0.05 OR
0.15
GR/DSCF AS APPROPRIATE FOR THE SOURCE, IS BEING
ACHIEVED. OPERATION OF THE BAGHOUSE OUTSIDE OF
THE
LIMITS OF MONITORING SHALL TRIGGER INVESTIGATION
OF
BAGHOUSE PERFORMANCE BY APPROPRIATE OXYCHEM
PERSONNEL.

Parameter Monitored: PRESSURE CHANGE

Lower Permit Limit: 1 inches of water

Upper Permit Limit: 6 inches of water

Monitoring Frequency: PER SHIFT

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED

RANGE AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 40: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 40.1:

The Compliance Certification activity will be performed for:

Emission Unit: D-00002 Emission Point: D0102

Process: D03

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 40.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emission Unit – D00002 – “D” Area

Dechlorane Plus Dust Collector

Systems

Process Unit D03 – Dec Plus Storage,

Grinding and Packing System



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Emission Point D0102 – Dec Plus Crude
Storage Hopper Vent
Emission Control EC-D0302- Dust
Collector

Unground Dechlorane Plus is transferred from the Dechlorane Plus Dryer (located in M-22) to the crude storage hopper located in building D-210. The hopper is equipped with a vent bag collector (EP – D0102). The pressure drop across the dust collector will be monitored per shift when in operation and the pressure will be maintained between the approximate range of 1 to 4 inches of water. This pressure drop will be noted in the operating log, retained for five years and will be available for inspection when requested by the agency.

NOTE: BAGHOUSE MONITORING OF PRESSURE CHANGE MUST BE CONDUCTED ONCE PER SHIFT BY OXYCHEM PERSONNEL WHENEVER PROCESS IS IN OPERATION. PRESSURE DROP LIMITS OF MONITORING ARE INTENDED TO BE INDICATORS THAT THE GRAIN LOADING STANDARD, EITHER 0.05 OR 0.15 GR/DSCF AS APPROPRIATE FOR THE SOURCE, IS BEING ACHIEVED. OPERATION OF THE BAGHOUSE OUTSIDE OF THE LIMITS OF MONITORING SHALL TRIGGER INVESTIGATION OF BAGHOUSE PERFORMANCE BY APPROPRIATE OXYCHEM PERSONNEL.

Parameter Monitored: PRESSURE CHANGE
Lower Permit Limit: 1 inches of water
Upper Permit Limit: 4 inches of water
Monitoring Frequency: PER SHIFT
Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED RANGE AT ANY TIME
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 41: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.4(c)

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Item 41.1:

The Compliance Certification activity will be performed for:

Emission Unit: D-00002 Emission Point: D0104
Process: D03

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

Item 41.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emission Unit – D00002 – “D” Area Dechlorane Plus Dust
Collector Systems
Process Unit D03 - Dec Plus Storage, Grinding and Packing
System
Emission Point D0104 – Dec Plus Product Storage Hopper
Vent
Emission Control EC-D0304- Dust Collector

The unground Dechlorane Plus is fed at a controlled rate from the crude storage hopper to a pulverizer. The ground and classified product is transferred by an airveyor system to the product storage hopper from which it is packed out. The top of the product storage hopper is equipped with a dust collector system for the removal of particulates from the airveyor air prior to its discharge to the atmosphere. The dust collector (EP-D0104) will be in operation whenever the system is in operation. The pressure drop across the dust collector will be monitored per shift when in operation and the pressure will be maintained between the approximate range of 1 to 4 inches of water. This pressure drop will be noted in the operating log, retained for five years and be available for inspection when requested by the agency.

NOTE: BAGHOUSE MONITORING OF PRESSURE CHANGE MUST BE CONDUCTED ONCE PER SHIFT BY OXYCHEM PERSONNEL WHENEVER PROCESS IS IN OPERATION. PRESSURE DROP LIMITS OF MONITORING ARE INTENDED TO BE INDICATORS THAT THE GRAIN LOADING STANDARD, EITHER 0.05 OR 0.15 GR/DSCF AS APPROPRIATE FOR THE SOURCE, IS BEING



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ACHIEVED. OPERATION OF THE BAGHOUSE OUTSIDE OF THE LIMITS OF MONITORING SHALL TRIGGER INVESTIGATION OF BAGHOUSE PERFORMANCE BY APPROPRIATE OXYCHEM PERSONNEL.

Parameter Monitored: PRESSURE CHANGE

Lower Permit Limit: 1 inches of water

Upper Permit Limit: 4 inches of water

Monitoring Frequency: PER SHIFT

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED RANGE AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 42: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.9(b)

Item 42.1:

The Compliance Certification activity will be performed for:

Emission Unit: F-00001

Process: F01

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 42.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emission Unit – F00001 – “F” Area Groundwater Storage and Treatment System

Process Unit F01 – “F” Area Groundwater Storage

Emission Point F5201 - Groundwater Storage Tank

Emission Control F0102 – Carbon Drum

Ground water in the “F” Area is pumped by a series of collection wells into a storage tank, EP-F5201. The tank vents to a carbon drum. The contaminated ground water is fed from this storage tank at a controlled rate to the ground water treatment system. The carbon drum will be sampled with an HNU meter (or similar type organic meter)



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at least once per year to verify that break through of VOC's has not occurred. If the organic reading is greater than 50 ppm then the carbon drum will be replaced. The sampling records will be retained for five years and be available for inspection when requested by the agency.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: VOC's

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 50 parts per million (by volume)

Reference Test Method: SEE PERMIT MONITORING DESCRIPTION

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 43: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.11(b)(1)

Item 43.1:

The Compliance Certification activity will be performed for:

Emission Unit: F-00001 Emission Point: F5202
Process: F02

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

Item 43.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emission Unit – F00001 – “F” Area Groundwater Storage and Treatment System

Process Unit F02 – “F” Area Groundwater Treatment System

Emission Point F5202 - Vent from Regenerative Thermal Oxidizer

Emission Control F0202 - Regenerative Thermal Oxidizer

The “F” Area groundwater treatment system includes an



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organic phase separator, air stripper, regenerative thermal oxidizer, and activated carbon system. The contaminated air stream from the air stripper is fed to the regenerative thermal oxidation unit for destruction of the organics. The temperature of the thermal oxidizer will be continuously monitored and recorded to maintain the temperature between 1300 – 2000 deg F. Each day the operator will check that temperature monitoring is operating properly. If the temperature goes out of this range the feed pump of contaminated groundwater to the air stripper is automatically shutoff until the temperature is brought back into range. The monitoring records will be retained for five years and be available for inspection when requested by the agency.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1300 degrees Fahrenheit

Upper Permit Limit: 2000 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 44: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.9(b)

Item 44.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00002

Process: M04

Regulated Contaminant(s):

CAS No: 000077-47-4 HEXACHLOROCYCLOPENTADIENE

Item 44.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emission Unit – M00002 – “M” Area Process Storage
Tanks

Process Unit M04– “M” Area Dechlorane Plus Process Storage
Tanks

Emission Point M0205 – Hexachlorocyclopentadiene



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Emission Control EC-M0402 – Activated Carbon Vent Sorb Drum

This 5,000 gallon storage tank is used to store hexachlorocyclopentadiene which is a raw material in the dechlorane plus process. The activated carbon system will be monitored with a portable hydrocarbon instrument for breakthrough on a monthly basis (if the tanks are in service). If the hydrocarbon reading is 50 ppm or greater, than the activated carbon will be changed. The sampling records will be recorded, retained for five years and will be available for inspection when requested by the agency.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: GASEOUS WASTE

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 50 parts per million (by volume)

Reference Test Method: SEE PERMIT MONITORING DESCRIPTION

Monitoring Frequency: MONTHLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 45: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.9(b)

Item 45.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00003

Process: M08

Regulated Contaminant(s):

CAS No: 000127-18-4 PERCHLOROETHYLENE

Item 45.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emission Unit – M00003 – Dechlorane Plus Process Vents

Process Unit M08 – Dechlorane Plus Process with



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Refrigerated Condensers and Activated Carbon
Emission Point M2205 – Dechlorane Plus Raw Material
Tanks
Emission Control EC-M0806 – Activated Carbon Vent Sorb
Pack

(Dechlorane Plus Process Vent): The M22 Dechlorane Plus process equipment is vented through a vent condenser, which uses chilled water or chilled glycol for cooling and condensing of organics from the vent gas, then discharges through the activated carbon system. The activated carbon system is monitored with a portable hydrocarbon instrument for breakthrough on a daily basis (when the process is in production). If the hydrocarbon reading is 1000 ppm or greater, then the activated carbon will be changed. A spare carbon unit is typically piped in and ready. The Dechlorane Plus vent condenser condenses organics that are normally contained in the air or nitrogen vent streams from: the Dechlorane Plus Dryer system, the Dech Plus reactors, and from various other process tanks that are connected to the common vent header system. The sampling records will be maintained for five years and will be available for inspection when requested by the agency. Visual inspection of all Dech Plus process equipment will be conducted daily.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: GASEOUS WASTE

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 1000 parts per million (by volume)

Reference Test Method: SEE PERMIT MONITORING DESCRIPTION

Monitoring Frequency: DAILY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 46: Compliance Certification
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable Federal Requirement: 6NYCRR 212.9(b)

Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-0000A

Process: U0A



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Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 46.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emission Unit U0000A –“U Area Waste Water Tanks
Process Unit U0A – “U” Area Wastewater Treatment
Emission Point U6001 – Vent from Wastewater Storage
Tank
Emission Control EC-U020C – Vent Sorb Activated Carbon
System

The “U” Area Overburden Groundwater Treatment System includes wastewater storage –100,000 gal. for wastewater prior to feeding into the Calgon activated carbon system. The vent from the wastewater storage is vented through activated carbon vent sorb drums. The activated carbon vent sorb drum will be monitored with a portable VOC instrument for breakthrough on a monthly basis (if the tanks are in service). If the VOC reading is 50 ppm or greater, than the activated carbon will be changed. The sampling records will be recorded, retained for five years and will be available for inspection when requested by the agency. It should be noted that the system may be eliminated in the future by direct discharge to the sanitary sewer from the wells or to the S/F area remedial system.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: VOC's

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 50 parts per million (by volume)

Reference Test Method: SEE PERMIT MONITORING DESCRIPTION

Monitoring Frequency: MONTHLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



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 47: Contaminant List
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable State Requirement: ECL 19-0301

Item 47.1:

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: 000071-43-2

Name: BENZENE

CAS No: 0NY100-00-0

Name: HAP

CAS No: 000077-47-4

Name: HEXACHLOROCYCLOPENTADIENE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 000127-18-4

Name: PERCHLOROETHYLENE

CAS No: 0NY998-00-0

Name: VOC

Condition 48: Unavoidable noncompliance and violations
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable State Requirement: 6NYCRR 201-1.4

Item 48.1:

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



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occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 49: Air pollution prohibited
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable State Requirement: 6NYCRR 211.2

Item 49.1:

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.

Condition 50: Compliance Demonstration
Effective between the dates of 12/12/2006 and 12/11/2011

Applicable State Requirement: 6NYCRR 211.2

Item 50.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 50.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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Monitoring Description:

Facility shall establish a complaint response procedure to manage complaints related to air emissions from this facility within 6 months from the issuance of this permit. The procedure shall be designed to ensure that complaints from officials or neighbors are adequately received and documented, and that appropriate response is taken by the facility. The facility shall:

1. Have a complaint phone line available 24 hours a day, 7 days a week.
2. Investigate any possible causes of any complaint received.
3. Take prompt action to abate any circumstance which is found to be the cause of the complaint.
4. Fully document the complaint, results of investigation, and any action taken.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY