



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 9-2940-00030/02001  
Effective Date: 06/18/2010 Expiration Date: 06/17/2015

Permit Issued To: PYROTEK INC  
9503 EAST MONTGOMERY AVE  
SPOKANE, WA 99206

Contact: KEVIN SCOTT  
METAULLICS SYSTEMS DIV OF PYROTEK INC  
2040 CORY RD  
SANBORN, NY 14132  
(716) 731-3221

Facility: METAULLICS SYSTEMS DIVISION OF PYROTEK INC  
2040 CORY RD  
SANBORN, NY 14132-9633

Description:

Metaullics Systems located in Sanborn, New York is an existing industrial facility that manufactures graphite, carbon and ceramic products for industrial applications. Typical products are graphite tubes and rods used in aluminum and chemical industry. Ceramic components used in high temperature industrial applications and bonded particle filters used to purify aluminum are also produced at the facility. Current operations consist of mixing of raw carbonaceous materials; extrusion, baking of extruded shapes, pitch impregnation, machining, and graphitizing using electrically heated furnaces. Control equipment consists of baghouse dust collectors for mixing, machining, packing and loading operations. Emissions from the carbon/graphite baking operations are to be controlled by natural gas fired incinerators.

The facility is proposing to expand their existing graphitizing operations which will increase potential facility-wide emissions of carbon monoxide in excess of the major source threshold of 100 tons per year. This Title V permit represents the proposed graphitizing expansion consisting of eighteen new electrically heated graphitizing furnaces along with other material handling and processing equipment. Only twelve furnaces will be installed now and the remaining six will be installed if additional production capacity is required.

As part of the expansion, additional processes will include dust collectors for graphite loading and unloading and a condenser for a proposed graphite stabilization process.



In addition, the permit describes a prototype dust collection system to control emissions from the the existing carbon bake furnaces now controlled by the a fume incinerator and directed to emission point 001-3.

The facility will be subject to :

6NYCRR, Part 212.4(c) for the control of particulate emissions for process sources and dust collectors associated with handling, cleaning, and machining operations. Particulate emissions are not to exceed 0.05 gr/dscf from the associated emission points.

6NYCRR, Part 212.6(a) limits opacity from all process emission sources to less than 20 percent during any six consecutive minutes.

6NYCRR, Part 212.4(a) requires 99% control efficiency for emission sources which emit "A" rated, high toxicity contaminants in excess of 1 pound per hour. Those process emission sources are controlled by a fume incinerator and venting to emission points 001-3 and 002-3. A minimum operating temperature has been established and a stack test will verify the destruction efficiency.

6NYCRR, Part 212.10(c)(4) establishes RACT(Reasonably Available Control Technology) for major sources of volatile organic compounds greater than 50 tons per year and requires xylene emissions from the stabilization process to be controlled to a minimum 81% . The design efficiency of the condenser is established at 90% and will be operated at temperatures established in the permit to maintain this efficiency.

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: DOUGLAS E BORSCHEL  
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 compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
- Applications for permit renewals, modifications and transfers
- Permit modifications, suspensions or revocations by the Department

**Facility Level**

- Submission of application for permit modification or renewal-REGION 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: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



submitted prior to actual transfer of ownership.

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

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 9 Headquarters  
Division of Environmental Permits  
270 Michigan Avenue  
Buffalo, NY 14203-2915  
(716) 851-7165

**New York State Department of Environmental Conservation**

**Permit ID: 9-2940-00030/02001**

**Facility DEC ID: 9294000030**



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: PYROTEK INC  
9503 EAST MONTGOMERY AVE  
SPOKANE, WA 99206

Facility: METALLICS SYSTEMS DIVISION OF PYROTEK INC  
2040 CORY RD  
SANBORN, NY 14132-9633

Authorized Activity By Standard Industrial Classification Code:  
3624 - CARBON AND GRAPHITE PRODUCTS

Permit Effective Date: 06/18/2010

Permit Expiration Date: 06/17/2015



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 202-2.1: Compliance Certification
- 7 6 NYCRR 202-2.5: Recordkeeping requirements
- 8 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 6 NYCRR 211.3: Visible Emissions Limited
- 21 40 CFR Part 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- 24 6 NYCRR 201-6.5 (e): Compliance Certification
- 26 6 NYCRR 212.4 (c): Compliance Certification
- 27 6 NYCRR 212.4 (c): Compliance Certification
- 25 6 NYCRR 212.6 (a): Compliance Certification

#### Emission Unit Level

- 28 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit

#### EU=0-00002,Proc=0PP

- 29 6 NYCRR 212.4 (a): Compliance Certification

#### EU=0-00002,EP=001-3

- 30 6 NYCRR 212.4 (a): Compliance Certification
- 31 6 NYCRR 212.4 (a): Compliance Certification

#### EU=0-00003,EP=002-3

- 32 6 NYCRR 212.4 (a): Compliance Certification
- 33 6 NYCRR 212.4 (a): Compliance Certification



**EU=0-00005,Proc=0P7**

34 6 NYCRR 212.10 (c) (4) (i): Compliance Certification

35 6 NYCRR 212.11 (b) (4): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

36 ECL 19-0301: Contaminant List

37 6 NYCRR 201-1.4: Unavoidable noncompliance and violations

38 6 NYCRR 211.2: Air pollution prohibited

**Emission Unit Level**

**EU=0-00003,Proc=0P4**

39 6 NYCRR 212.4 (b): Compliance Demonstration



**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 - 6 NYCRR 201-1.5**

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

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

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

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

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

**Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 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 Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR 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 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 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 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 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 - 6 NYCRR 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 order to maintain compliance with the conditions of this permit.

**Item H: Property Rights - 6 NYCRR 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 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 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 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 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 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 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**  
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:6 NYCRR 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 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:6 NYCRR 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 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement: 6 NYCRR 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 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 06/18/2010 and 06/17/2015**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum



frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

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

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

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

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

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A



written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.



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

**Condition 6: Compliance Certification**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**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:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 7: Recordkeeping requirements**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 7.1:**

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

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

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 8: Open Fires Prohibited at Industrial and Commercial Sites**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:6 NYCRR Part 215**

**Item 8.1:**

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.

**Condition 9: Open Fires - Prohibitions**



Effective between the dates of 06/18/2010 and 06/17/2015

Applicable Federal Requirement:6 NYCRR 215.2

**Item 9.1:**

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

**Item 9.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**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 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:6 NYCRR 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 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:6 NYCRR 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.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 12.1:**

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 13: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 13.1:**

The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.



Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 14.1:**

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

**Condition 15: Standard Requirement - Provide Information**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit;



and

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Standard Requirements - Progress Reports**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 17.1:**

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

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

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

**Condition 18: Off Permit Changes**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 18.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

**Condition 19: Required Emissions Tests**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:6 NYCRR 202-1.1**

**Item 19.1:**

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For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

**Condition 20: Visible Emissions Limited**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:6 NYCRR 211.3**

**Item 20.1:**

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

**Condition 21: Accidental release provisions.**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement:40 CFR Part 68**

**Item 21.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
C/O CSC  
8400 Corporate Dr  
Carrollton, Md. 20785

**Condition 22: Recycling and Emissions Reduction**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 22.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.



The following conditions are subject to annual compliance certification requirements for Title V permits only.

**Condition 23: Emission Unit Definition**  
Effective between the dates of 06/18/2010 and 06/17/2015

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

**Item 23.1:**

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

Emission Unit: 0-00001

Emission Unit Description:

This emission unit consists of five existing and 18 proposed electrically heated furnaces used to graphitize various carbonaceous materials. The existing five furnaces are located in bldg #5 and exhaust through existing emission points 001-4 and 1-5. The proposed new furnaces (18) will be installed in new graphitizing bldgs #6 and #7 and will exhaust to emission points 0003-1, 3-2, 3-3, 3-4, 3-5, and 3-6. Dust collector emissions from proposed graphite handling system to be located in bldg #6 will be directed to EP 003-7.

Building(s): 5  
6  
7

**Item 23.2:**

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

Emission Unit: 0-00002

Emission Unit Description:

Twelve (12) electrically heated and three (3) natural gas fired furnaces used to bake various carbonaceous materials. All fifteen existing furnaces are located in bldg #5 and exhaust through a natural gas fired incinerator and to emission point 001-3. Emission point 001-7 is the exhaust stack from a bag house dust collector used to control emissions from a pack sand screening/storage/handling process. The pack sand is used to pack product in the baking furnaces. When the baking process is complete, the sand is removed, screened and placed back into a storage tank ready for re-use. This emission unit also describes a prototype baghouse emission control system to control emissions from the baking furnaces as an alternative to the incinerator directed to emissionpoint 001-3.



Building(s): 5

**Item 23.3:**

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

Emission Unit: 0-00003

Emission Unit Description:

Carbon/graphite stock impregnation, re-baking, along with a mechanical cleaning operation are located in the impregnation department in building #5. Emissions are vented to atmosphere through (3) three emission points: EP 002-6-baghouse dust collector for mechanical cleaning of exterior surfaces of product; EP 002-5-roof mounted fan for ventilation of impregnation department; EP 02-3, a natural gas fired incinerator used to control emissions from the re-baking process.

Building(s): 5

**Item 23.4:**

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

Emission Unit: 0-00004

Emission Unit Description:

Existing carbon/graphite stock mixing/extrusion and machining operations located building #5. Emissions are vented to a fabric filter dust collector and through emission point 001-6.

Building(s): 5

**Item 23.5:**

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

Emission Unit: 0-00005

Emission Unit Description:

Existing graphite loading & unloading system in building #5, two (2) proposed graphite loading & unloading systems in building #8, and a graphite stabilization operation also located in building #8. Emissions from this emission unit are vented to atmosphere through (4) four emission points as follows: EP 002-7, bag house dust collector for the existing graphite loading & unloading system in building 5, EP 003-8 condenser emissions from proposed graphite stabilization operation located in building 8; EP 003-9 baghouse dust collector for a proposed graphite loading system in building 8, and EP 03-10 baghouse dust collector for a proposed graphite loading system in building 8 (system #2).

Building(s): 5  
8

**Condition 24: Compliance Certification**  
**Effective between the dates of 06/18/2010 and 06/17/2015**



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

**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:

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;
  - 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

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air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

270 Michigan Avenue  
Buffalo, NY 14203-2915

The address for the BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due on the same day each year

**Condition 26: Compliance Certification**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 26.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 26.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility shall daily monitor and record the pressure drop of each baghouse in a log book. Readings outside the normal operating range of 1 to 6 inches of water shall require an investigation of the control equipment to determine the cause of the deviation. Operating ranges



may need to be re-established as a result of filter bag changes, and must be noted in the log and reported in the annual/semi-annual compliance reports.

Equipment to monitor pressure drop shall be installed, calibrated, operated, and maintained in accordance with the manufacturer recommendations, instructions, and operating manual(s).

The manometer or magnehelic gauge for each baghouse is to be calibrated every six months and the date recorded in the operating log.

Parameter Monitored: PRESSURE DROP

Lower Permit Limit: 1 inches of water

Upper Permit Limit: 6 inches of water

Reference Test Method: Method 5

Monitoring Frequency: DAILY

Averaging Method: RANGE-NOT TO FALL OUTSIDE OF STATED RANGE EXCEPT DURING STARTUP/SHUTDOWN

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

**Condition 27: Compliance Certification**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 27.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 27.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Metallics shall not cause or allow emissions of solid particulates to exceed 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis to be emitted from emission points associated within the following emissions units:

Emission unit 00001: emission point 003-7-Graphite Pack Handling System dust collector



Emission unit 00002: emission point 001-7-Baking  
Department Packing Operations dust collector

Emission unit 00003: emission point 002-6-Tube & Rod Stock  
Cleaning dust collector

Emission unit 00004: emission point 001-6-Machine shop &  
Extrusion dust collector

Emission unit 00005: emission points 002-7-Graphite  
capsule Loading/Unloading; 003-9-Capsule loading dust  
collector; 03-10-Capsule Unloading dust  
collector.

Compliance verifications are to include review of  
pertinent information relating to particulate emissions of  
the source, including but not limited to production rate,  
process material type, control equipment parameters, and  
visible emissions. During source operation all pertinent  
parameters (whether used to directly calculate particulate  
emission rate, or as surrogates) are to be maintained  
within ranges that ensure compliance with the particulate  
emission rate.

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

The Department reserves the right to perform or require  
the performance of a Method 5 emissions test to determine  
the particulate emission rate.

Records of these verifications, investigations and  
corrective actions will be kept on-site for a period of  
five years.

Should the Department determine that permittee's record  
keeping format is inadequate to demonstrate compliance  
with this condition, it shall provide written notice to  
the permittee stating the inadequacies, and permittee  
shall have 90 days to revise its prospective record  
keeping format in a manner acceptable to the Department.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: 0.05 grains per dscf  
Reference Test Method: Method 5

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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

**Condition 25: Compliance Certification**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 25.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 0-00001

Emission Unit: 0-00002

Emission Unit: 0-00003

Emission Unit: 0-00004

Emission Unit: 0-00005

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission

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sources) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

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

Reference Test Method: Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2010.
Subsequent reports are due every 6 calendar month(s).

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

Condition 28: Emission Point Definition By Emission Unit
Effective between the dates of 06/18/2010 and 06/17/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 28.1:

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

- Emission Unit: 0-00001
Emission Point: 001-4
Height (ft.): 41 Diameter (in.): 24
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 5
Emission Point: 001-5
Height (ft.): 41 Diameter (in.): 24
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 5
Emission Point: 003-1
Height (ft.): 45 Diameter (in.): 36
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 6



Emission Point: 003-2  
Height (ft.): 45 Diameter (in.): 36  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 6

Emission Point: 003-3  
Height (ft.): 45 Diameter (in.): 36  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 6

Emission Point: 003-4  
Height (ft.): 45 Diameter (in.): 36  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 6

Emission Point: 003-5  
Height (ft.): 45 Diameter (in.): 36  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 7

Emission Point: 003-6  
Height (ft.): 45 Diameter (in.): 36  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 7

Emission Point: 003-7  
Height (ft.): 33 Diameter (in.): 24  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 6

**Item 28.2:**

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

Emission Unit: 0-00002

Emission Point: 001-3  
Height (ft.): 36 Diameter (in.): 24  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 5

Emission Point: 001-7  
Height (ft.): 15 Diameter (in.): 12  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 5

**Item 28.3:**

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

Emission Unit: 0-00003

Emission Point: 002-3  
Height (ft.): 29 Diameter (in.): 11  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 5

Emission Point: 002-5  
Height (ft.): 44 Diameter (in.): 30  
NYTMN (km.): 4782.72 NYTME (km.): 179.429 Building: 5

Emission Point: 002-6

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Height (ft.): 19                      Length (in.): 12                      Width (in.): 10  
NYTMN (km.): 4782.72              NYTME (km.): 179.429              Building: 5

**Item 28.4:**

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

Emission Unit: 0-00004

Emission Point: 001-6

Height (ft.): 24                      Diameter (in.): 26  
NYTMN (km.): 4782.72              NYTME (km.): 179.429              Building: 5

**Item 28.5:**

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

Emission Unit: 0-00005

Emission Point: 002-7

Height (ft.): 8                      Diameter (in.): 14  
NYTMN (km.): 4782.72              NYTME (km.): 179.429              Building: 5

Emission Point: 003-8

Height (ft.): 45                      Diameter (in.): 12  
NYTMN (km.): 4782.72              NYTME (km.): 179.792              Building: 8

Emission Point: 003-9

Height (ft.): 33                      Diameter (in.): 20  
NYTMN (km.): 4782.72              NYTME (km.): 179.72              Building: 8

Emission Point: 03-10

Height (ft.): 33                      Diameter (in.): 20  
NYTMN (km.): 4782.72              NYTME (km.): 179.79              Building: 8

**Condition 29: Compliance Certification**

**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 29.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00002

Process: OPP

Regulated Contaminant(s):

CAS No: 000050-32-8	BENZO(A)PYRENE
CAS No: 000206-44-0	FLUORANTHENE
CAS No: 000191-24-2	BENZO[G,H,I]PERYLENE
CAS No: 065996-93-2	PITCH, COAL TAR, HIGH-TEMP.

**Item 29.2:**

Compliance Certification shall include the following monitoring:



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

Monitoring Description:

This condition represents the request to operate a prototype baghouse during an estimated 4-6 week trial period. The proposed baghouse/carbon graphite dust injection system is intended to control fumes from the baking furnace which are now directed to the fume incinerator, emission point 001-3. If successful, Metallics will submit to this Department a stack test protocol to demonstrate compliance with 6NYCRR, Part 212.4(a). This protocol shall be submitted within 30 days from the completion of the trial period with testing to be completed within 90 days from the end of the trial period.

The proposed prototype baghouse is required to achieve (and the source test to demonstrate) a control efficiency of 99% as stipulated by Table 2 of 6NYCRR, Part 212.9 for 'A' rated contaminants; coal tar pitch volatiles and its constituents, BAP, chrysene, and other PNA.

During the source test Metallics will record baghouse maximum operational and production parameters which will be utilized to demonstrate continuous compliance with Part 212. These monitoring parameters will be then incorporated into this permit through a permit modification as enforceable permit conditions.

The facility will notify this Department of the expected start and end date of the trial run.

The existing fume incinerator will remain in place and utilized in the event of a baghouse system malfunction.

Parameter Monitored: DEGREE OF AIR CLEANING

Lower Permit Limit: 99 percent reduction

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

**Condition 30: Compliance Certification**  
**Effective between the dates of 06/18/2010 and 06/17/2015**



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

**Item 30.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00002

Emission Point: 001-3

Regulated Contaminant(s):

CAS No: 000050-32-8

BENZO(A)PYRENE

CAS No: 000206-44-0

FLUORANTHENE

CAS No: 000191-24-2

BENZO[G,H,I]PERYLENE

CAS No: 065996-93-2

PITCH, COAL TAR, HIGH-TEMP.

**Item 30.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The emission rate potential of 'A' rated contaminants coal tar pitch volatiles and its constituents BAP, Chrysene, and other PNA from the carbon bake furnaces exceed 1 pound per hour and are required by 6NYCRR, Part 212.4 (a) and Table 2 of 6NYCRR, Part 212.9 to be controlled to a minimum 99%.

Exhaust gases from the bake furnaces will be controlled by a natural gas-fired fume incinerator (emission point 0001-3) which will be stack tested to demonstrate compliance with this requirement. The source test will demonstrate the overall destruction removal efficiency for total hydrocarbons as a surrogate for PNA.

The source test will also establish the minimum incinerator operating temperature and the maximum operational production rates for the bake furnaces.

The stack test protocol is to be submitted at least 30 days prior to testing. The source test shall be conducted using methods acceptable to the Department. A final written test report is to be submitted to this Department within 30 days from the completion of the test.

Parameter Monitored: DEGREE OF AIR CLEANING

Lower Permit Limit: 99 percent reduction

Reference Test Method: EPA Method 25

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE AT ANY TIME

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**Condition 31: Compliance Certification**  
Effective between the dates of 06/18/2010 and 06/17/2015

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

**Item 31.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00002

Emission Point: 001-3

Regulated Contaminant(s):

CAS No: 000050-32-8

BENZO(A)PYRENE

CAS No: 000206-44-0

FLUORANTHENE

CAS No: 000191-24-2

BENZO[G,H,I]PERYLENE

CAS No: 065996-93-2

PITCH, COAL TAR, HIGH-TEMP.

**Item 31.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The fume incinerator is to be operated at a minimum temperature of 1450 degrees F. in order to achieve a control efficiency of 99% as required by Table 2 of 6NYCRR, Part 212.9 for the 'A' rated contaminants coal tar pitch volatiles and its constituents BAP, Chrysene, and other PNA.

The temperature is to be continuously monitored and recorded when the furnaces/incinerator are in operation. The temperature monitor/recorder shall be calibrated at a minimum of twice per year and as per the facility QA/QC program. Records are to be kept on-site for a period of five years and made available to Department representatives on request.

A stack test conducted at the minimum 1450 degree temperature and maximum expected furnace operating rates is required to demonstrate the efficiency of the incinerator. If the test indicates a higher temperature is required to achieve the 99% destruction efficiency, then the permit will be re-opened to modify this condition.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1450 degrees Fahrenheit

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

**New York State Department of Environmental Conservation**

Permit ID: 9-2940-00030/02001

Facility DEC ID: 9294000030



Reports due 30 days after the reporting period.  
The initial report is due 7/30/2010.  
Subsequent reports are due every 6 calendar month(s).

**Condition 32: Compliance Certification**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 32.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00003

Emission Point: 002-3

Regulated Contaminant(s):

CAS No: 000110-00-9	FURAN C4H4O
CAS No: 000129-00-0	PYRENE
CAS No: 000191-24-2	BENZO[G,H,I]PERYLENE
CAS No: 068334-31-6	PETROLEUM PITCH

**Item 32.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The emission rate potential of 'A' rated petroleum pitch volatiles and its PNA constituents (and furans during the resin impregnation) exceed 1 pound per hour and are required by 6NYCRR, Part 212.4 (a) and Table 2 of 6NYCRR, Part 212.9 to be controlled by an air cleaning device having a minimum destruction efficiency of 99%.

Emissions will be controlled by the fume incinerator which will operate at a minimum temperature of 1450 degrees F.

This Department can at any time request a stack test to demonstrate the destruction efficiency of this incinerator.

Parameter Monitored: DEGREE OF AIR CLEANING

Lower Permit Limit: 99 percent reduction

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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



**Condition 33: Compliance Certification**  
Effective between the dates of 06/18/2010 and 06/17/2015

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

**Item 33.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00003

Emission Point: 002-3

Regulated Contaminant(s):

CAS No: 000110-00-9	FURAN C4H4O
CAS No: 000129-00-0	PYRENE
CAS No: 000191-24-2	BENZO[G,H,I]PERYLENE
CAS No: 068334-31-6	PETROLEUM PITCH

**Item 33.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Petroleum pitch volatiles and its polynuclear aromatic constituents and furans emitted from product binders from the re-bake furnaces and having an emission rate potential greater than 1 pound per hour and assigned an environmental rating of 'A' are required by Table 2 (6NYCRR, Part 212.9) to be controlled to a minimum of 99%.

The natural gas-fired incinerator will be operated at a minimum temperature of 1450 degrees F to maintain this degree of control. Exhaust from the incinerator is vented to emission point 002-3.

The temperature is to be continuously monitored and recorded when the incinerator is operating. The temperature monitor/recorder shall be calibrated at a minimum of twice per year and maintained as per the facility QA/QC program. Records are to be kept on-site for a period of five years and made available to Department representatives on request.

Only one furnace at a time can operate when processing a pitch re-bake.

The pre-heater is used to heat furan resin impregnated stock prior to being processed in the re-bake furnace.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1450 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED

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VALUE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

**Condition 34: Compliance Certification**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement: 6 NYCRR 212.10 (c) (4) (i)**

**Item 34.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00005

Process: 0P7

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 34.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Metallics having potential volatile organic compounds(VOC) greater than 50 tons per year is subject to the reasonably available control technology (RACT) requirements of 6NYCRR, Part 212.10 for major VOC sources.

Xylene, a VOC, and having an emission rate potential of 6.3 pounds per hour emitted from the graphite stabilization process and associated Wyssmont dryer, emission point 003-8, is required by 6NYCRR, Part 212.10(c)(4)(i) to be controlled to a minimum of 81%. The condenser system associated with the dryer is designed to achieve a minimum efficiency of 90% and will be operated at established inlet/outlet temperatures, 50 and 60 degrees F. respectively, to maintain this efficiency.

This Department can at anytime request a stack test to demonstrate the overall efficiency of the dryer/condenser system.

Parameter Monitored: DEGREE OF AIR CLEANING

Lower Permit Limit: 81 percent degree of air cleaning or  
greater

Reference Test Method: Method 25A

Monitoring Frequency: CONTINUOUS

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Facility DEC ID: 9294000030



Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

**Condition 35: Compliance Certification**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

**Applicable Federal Requirement: 6 NYCRR 212.11 (b) (4)**

**Item 35.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 0-00005

Process: 0P7

Regulated Contaminant(s):

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

**Item 35.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The condenser associated with the electrically heated Wyssmont dryer is designed to control xylene emissions to 90 percent or greater. The inlet coolant temperature will not exceed a maximum temperature of 50 degrees F. and the exit coolant temperature will not exceed a maximum temperature of 60 degrees F. The condenser inlet and outlet temperature shall be continuously monitored when the dryer/condenser is in operation.

Temperature gauges shall be calibrated every six months.

At any time, this Department can request testing to demonstrate the efficiency of the condenser.

Records are to be kept on-site for a minimum of 5 years and made available to Department representatives on request.

Parameter Monitored: TEMP. DIFF. BETWEEN INTAKE AND DISCHARGE

Lower Permit Limit: 50 degrees Fahrenheit

Upper Permit Limit: 60 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

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Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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



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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**  
**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**  
**The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 36: Contaminant List**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 36.1:**  
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000050-32-8  
Name: BENZO(A)PYRENE



CAS No: 000110-00-9  
Name: FURAN C<sub>4</sub>H<sub>4</sub>O

CAS No: 000129-00-0  
Name: PYRENE

CAS No: 000191-24-2  
Name: BENZO[G,H,I]PERYLENE

CAS No: 000206-44-0  
Name: FLUORANTHENE

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

CAS No: 065996-93-2  
Name: PITCH, COAL TAR, HIGH-TEMP.

CAS No: 068334-31-6  
Name: PETROLEUM PITCH

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

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

**Condition 37: Unavoidable noncompliance and violations  
Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 37.1:**

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.

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(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

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

**Condition 38: Air pollution prohibited**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 38.1:**

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

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

**Condition 39: Compliance Demonstration**  
**Effective between the dates of 06/18/2010 and 06/17/2015**

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

**Item 39.1:**

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Facility DEC ID: 9294000030



The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00003

Process: OP4

Regulated Contaminant(s):

CAS No: 068334-31-6      PETROLEUM PITCH

**Item 39.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The three autoclaves used for petroleum pitch impregnation of carbon articles release emissions of petroleum pitch vapor and its PNA constituents into the building. Smoke and vapors released when the autoclaves are opened are then vented to atmosphere thru the roof mounted building fan identified as emission point 002-5. Because emissions of these 'A' rated contaminants based on a petroleum pitch usage of 80000 pounds have been calculated as less than 1 pound per hour, no control is currently required.

However, if fugitive emissions and/or odors from this operation are observed from the building or emission point 002-5, then Metaullics will be required to evaluate the autoclave operation and submit a proposal to minimize emissions from these sources.

Should new scientific evidence from a recognized institution result in a decision by DEC that lower ambient guideline concentrations must be established, it may be necessary to reduce emissions from this source.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

