



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-5620-00040/02002
Effective Date: 12/07/2011 Expiration Date: 12/06/2016

Permit Issued To: API HEAT TRANSFER INC
2777 WALDEN AVE
BUFFALO, NY 14225

Contact: JOSEPH CORDOSI
API HEAT TRANSFER INC
2777 WALDEN AVE
BUFFALO, NY 14225
(716) 684-6700

Facility: API AIRTECH
91 NORTH ST
ARCADE, NY 14009

Contact: KARL ANDERSON
API AIRTECH
91 NORTH ST - PO BOX 68
ARCADE, NY 14009-0068
(585) 496-5755

Description:

1. API Airtech (API) manufactures aluminum heat exchangers and aftercoolers. The production process generally includes cutting and forming the aluminum alloy stock into fins, header bars and face bars. The formed parts are cleaned, assembled, brazed, welded, and painted. Processes at the facility include metal forming, parts cleaning, welding, brazing, and powder coating. The SIC code for this facility is 3443 - Fabricated Plate Work (Boiler Shops).
2. There are two types of permitted emission sources at the facility including: (1) a solvent vapor cleaning machine subject to the national emission standard for halogenated solvent cleaning, 40 CFR 63 Subpart T, and (2) automated mig welding machines.
3. The facility has several exempt and trivial activities including: (1) *metal forming and mill machines*, (2) *caustic cleaner*, (3) *manual cleaning of metal parts*, (4) *vacuum brazing ovens*, (5) *hand held welding sources*, and; (6) *powder coating process*.
4. API Airtech controls the trichloroethylene (TCE) emissions from the batch vapor solvent cleaning machine by employing Option 6 of the control combinations specified in Subpart T, Table 2 of 63.463(b)(2)(i). The emission controls include: (1) freeboard ratio of 1.0, (2) reduced room draft, and (3) freeboard refrigeration device.



5. API Airtech must ensure the total emissions of TCE used in all solvent cleaning machines are equal to or less than 14,100 kilograms or 31,020 pounds based on a 12-month rolling total emission limit as determined using the procedures in 40 CFR 63.471(c).
6. The General Process Regulations of Part 212 specify a limit on solid particulate discharges and opacity. The particulate sources at API Airtech are not discharged to the outside atmosphere. The two automated mig welding machines are exhausted through torit filters and discharged back into the building. As such, the only monitoring required is to maintain the torit filters. API Airtech shall certify on a semi-annual basis that the filters have been maintained as required by the manufacturer. In addition, API Airtech shall notify the Department prior to exhausting the system to the outside atmosphere.

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 14203-2915

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
 - 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 exercise all available authority 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 5: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 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.

**** Facility Level ****

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

Item 6.1:

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: 9-5620-00040/02002

Facility DEC ID: 9562000040



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: API HEAT TRANSFER INC
2777 WALDEN AVE
BUFFALO, NY 14225

Facility: API AIRTECH
91 NORTH ST
ARCADE, NY 14009

Authorized Activity By Standard Industrial Classification Code:
3443 - FABRICATED PLATE WORK (BOILER SHOPS)
3679 - ELECTRONIC COMPONENTS, NEC

Permit Effective Date: 12/07/2011

Permit Expiration Date: 12/06/2016



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 215.2: Open Fires - Prohibitions
- 9 6 NYCRR 200.7: Maintenance of Equipment
- 10 6 NYCRR 201-1.7: Recycling and Salvage
- 11 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 12 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 13 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 14 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 15 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 16 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 17 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 18 6 NYCRR 202-1.1: Required Emissions Tests
- 19 40 CFR Part 68: Accidental release provisions.
- 20 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 21 6 NYCRR Subpart 201-6: Emission Unit Definition
- 22 6 NYCRR 201-6.5 (e): Compliance Certification
- 23 6 NYCRR 211.1: Air pollution prohibited

Emission Unit Level

- 24 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 25 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

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- 27 40CFR 63.460(a), Subpart T: Applicability statement
- 28 40CFR 63.460(b), Subpart T: Part 63 General Provisions requirements
- 29 40CFR 63.463, Subpart T: Batch vapor and In-line machines: base design requirements
- 30 40CFR 63.463, Subpart T: Requirements for Freeboard Ratio of 1.0
- 31 40CFR 63.463(b)(2)(i), Subpart T: Compliance Certification
- 32 40CFR 63.463(d), Subpart T: Compliance Certification
- 33 40CFR 63.463(e)(2)(i), Subpart T: Compliance Certification
- 34 40CFR 63.463(e)(2)(ii), Subpart T: Compliance Certification
- 35 40CFR 63.465(e), Subpart T: Compliance Certification
- 36 40CFR 63.466(c), Subpart T: Compliance Certification
- 37 40CFR 63.467(a), Subpart T: Compliance Certification
- 38 40CFR 63.467(b), Subpart T: Compliance Certification
- 39 40CFR 63.468(f), Subpart T: Compliance Certification
- 40 40CFR 63.468(h), Subpart T: Compliance Certification



- 41 40CFR 63.468(i), Subpart T: Reduction in submission frequency of exceedance report
- 42 40CFR 63.471(b)(1), Subpart T: Compliance Certification
- 43 40CFR 63.471(b)(2), Subpart T: Compliance Certification
- 44 40CFR 63.471(c), Subpart T: Compliance Certification
- 26 40CFR 63.471(c), Subpart T: Compliance Certification
- 45 40CFR 63.471(e), Subpart T: Compliance Certification
- 46 40CFR 63.471(h), Subpart T: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 47 ECL 19-0301: Contaminant List
- 48 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 49 6 NYCRR 211.2: Visible Emissions Limited



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 12/07/2011 and 12/06/2016

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 12/07/2011 and 12/06/2016

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 72-0303.

Condition 3: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 12/07/2011 and 12/06/2016

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 12/07/2011 and 12/06/2016

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 12/07/2011 and 12/06/2016

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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 6 calendar month(s).



Condition 6: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

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 12/07/2011 and 12/06/2016

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 - Prohibitions
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR 215.2

Item 8.1:

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 8.2

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 9: Maintenance of Equipment
Effective between the dates of 12/07/2011 and 12/06/2016**



Applicable Federal Requirement:6 NYCRR 200.7

Item 9.1:

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 10: Recycling and Salvage
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 10.1:

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 11: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 11.1:

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 12: Exempt Sources - Proof of Eligibility
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR 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 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR 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 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR 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 12/07/2011 and 12/06/2016

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

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 12/07/2011 and 12/06/2016

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

Item 16.1:

New York State Department of Environmental Conservation

Permit ID: 9-5620-00040/02002

Facility DEC ID: 9562000040



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 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR 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 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 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR 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.

Condition 19: Accidental release provisions.
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40 CFR Part 68

Item 19.1:



the parts enter the enclosure. There is a roll top cover over the tank which is closed during the idle and down mode.

Building(s): 01

Item 21.2:

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

Emission Unit: 2-00000

Emission Unit Description:

Emission Unit 2-00000 includes two automated mig welding machines that use ER4043 aluminum gas metal arc electrodes to attach manifolds and fittings to heat exchanger cores.

The contaminant at this emission point is PM-10 emissions.

The exhaust is sent through torit filters and discharged back into the building.

Building(s): 01

Condition 22: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

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

Item 22.1:

The Compliance Certification activity will be performed for the Facility.

Item 22.2:

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.

New York State Department of Environmental Conservation

Permit ID: 9-5620-00040/02002

Facility DEC ID: 9562000040



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 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 1/30/2012.
Subsequent reports are due on the same day each year

Condition 23: Air pollution prohibited



Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR 211.1

Item 23.1:

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 24: Emission Point Definition By Emission Unit
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 24.1:

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

Emission Unit: 1-00000

Emission Point: 10000

Height (ft.): 7 Length (in.): 174 Width (in.): 44
NYTMN (km.): 4715.443 NYTME (km.): 219.749 Building: 01

Item 24.2:

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

Emission Unit: 2-00000

Emission Point: 20000

Height (ft.): 15 Length (in.): 480 Width (in.): 360
NYTMN (km.): 4715.443 NYTME (km.): 219.749

Condition 25: Process Definition By Emission Unit
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 25.1:

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

Emission Unit: 1-00000

Process: 100 Source Classification Code: 4-01-002-55

Process Description:

Process 100 includes a batch solvent vapor cleaning



machine used to clean the internal fins, header bars, and face bars and remove the lubricating oil. The cleaning machine has an enclosure which extends above the solvent tank. The enclosure has a side access area with plastic strips used for taking manual temperature measurements from the tank. The enclosure has two additional equipment doors through which the parts enter the enclosure. There is a roll top cover over the tank which is closed during the idle and down mode.

Emission Source/Control: 1K000 - Control
Control Type: REFRIGERATED CONDENSER

Emission Source/Control: 10000 - Process

Item 25.2:

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

Emission Unit: 2-00000
Process: 200 Source Classification Code: 3-09-052-00
Process Description:

Process 200 includes two automated mig welding machines that use ER4043 aluminum gas metal arc electrodes to attach the manifolds and fittings to the heat exchanger cores. The exhaust is sent through torit filters and discharged back into the building.

Emission Source/Control: 2K000 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 2A000 - Process

Emission Source/Control: 2B000 - Process

Condition 27: Applicability statement
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.460(a), Subpart T

Item 27.1:

This Condition applies to Emission Unit: 1-00000

Item 27.2:

The provisions of this subpart apply to each individual batch vapor, in-line vapor, in-line cold, and batch cold solvent cleaning machine that uses any solvent containing methylene chloride (CAS No. 75-09-2), perchloroethylene (CAS No. 127-18-4), trichloroethylene (CAS No. 79-01-6), 1,1,1-trichloroethane (CAS No. 71-55-6), carbon tetrachloride (CAS No. 56-23-5) or chloroform (CAS No. 67-66-3), or any combination of these HAP solvents, in a total concentration greater than 5 percent by weight, as a cleaning and/or drying agent. The concentration of these solvents may be determined using EPA test method 18, material safety data sheets, or engineering calculations. Wipe cleaning activities, such as using a rag containing halogenated solvent or a spray cleaner containing halogenated solvent are not covered under the



Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.463, Subpart T

Item 30.1:

This Condition applies to Emission Unit: 1-00000

Item 30.2:

An operator of a machine using a freeboard ratio equal to 1.0 must perform the following, as required by 40CFR63, sections 463, 466 and 467:

1. Ensure and obtain certification from the manufacturer that the freeboard height is greater than or equal to the width of the interior freeboard.
2. Record any changes to the actual freeboard ratio of the machine.
3. Record any modifications to the freeboard ratio of the machine.

Condition 31: Compliance Certification

Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.463(b)(2)(i), Subpart T

Item 31.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 31.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Each owner or operator of a batch solvent vapor cleaning machine with a solvent/air interface greater than 1.21 square meters shall comply with the requirements specified in §63.463(b)(2)(i).

Employ Option 6 of the possible control combinations listed in Table 2.

Freeboard refrigeration device, freeboard ratio of 1.0, and reduced room draft.

Parameter Monitored: FREEBOARD RATIO

Upper Permit Limit: 1.0 freeboard ratio

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.



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

Condition 32: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement: 40CFR 63.463(d), Subpart T

Item 32.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner/operator of a new or existing batch vapor solvent cleaning machine shall meet each of the following work and operational practices:

1. Air disturbances across the cleaning machine shall be controlled by either using an idling mode cover or reduced room draft.
2. The parts baskets or the parts being cleaned in an open-top batch vapor cleaning machine shall not occupy more than 50% of the solvent/air interface area unless the parts are introduced at a speed of 3 feet per minute or less.
3. All spraying operations are to be done within the vapor zone.
4. Orient parts so that solvent drains freely from them. Parts with holes shall be tipped or rotated before being removed.
5. Parts or parts baskets are not to be removed until dripping has stopped.
6. During startup of vapor machines, the primary condenser shall be turned on before the sump heater.
7. During shutdown of vapor machines, the sump heater shall be turned off before the primary condenser.
8. Solvent shall be transferred to and from machines using leakproof couplings and submerged filling.
9. Equipment shall be operated per manufacturer's specifications.



10. Each operator shall be able to pass the applicable sections of the test of solvent cleaning operating procedures in Appendix A of this subpart.

11. Waste solvent, still bottoms, and sump bottoms shall be collected and stored in closed containers.

12. Sponges, fabric, wood and paper products are not to be cleaned.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 6 calendar month(s).

Condition 33: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement: 40CFR 63.463(e)(2)(i), Subpart T

Item 33.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 000079-01-6 TRICHLOROETHYLENE

Item 33.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

FREEBOARD REFRIGERATION DEVICE:

A freeboard refrigeration device is used to comply with these standards. API Airtech shall:

(1) Ensure that the chilled air blanket temperature (in °F), measured at the center of the air blanket, is no greater than 30 percent of the solvent's boiling point.

(2) Use a thermometer or thermocouple to measure the temperature at the center of the air blanket during the idling mode.

EXCEEDANCES:

(1) An exceedance has occurred if the temperature at the center of the freeboard refrigeration device is above 57 degrees Fahrenheit and the problem is not corrected within



15 days of detection. Adjustments or repairs shall be made to the solvent cleaning system or control device to reestablish required operating limits. The parameter must be remeasured immediately upon adjustment or repair and demonstrated to be within required limits.

(2) API Airtech shall report all exceedances and all corrections and adjustments made to avoid an exceedance as specified in § 63.468(h), Condition #15 in this permit.

Parameter Monitored: TEMPERATURE

Upper Permit Limit: 57 degrees Fahrenheit

Monitoring Frequency: WEEKLY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

Condition 34: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.463(e)(2)(ii), Subpart T

Item 34.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 000079-01-6 TRICHLOROETHYLENE

Item 34.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

REDUCED ROOM DRAFT:

Reduced room draft is used to comply with the emission standards. API Airtech shall:

(1) Ensure that the flow or movement of air across the top of the freeboard area of the solvent cleaning machine or within the solvent cleaning machine enclosure does not exceed 50 feet per minute at any time.

(2) Establish and maintain the operating conditions under which the wind speed was demonstrated to be 50 feet per minute or less.



ENCLOSURE:

An enclosure (full or partial) is used to achieve a reduced room draft. API Airtech shall:

(1) Conduct monthly monitoring tests of the windspeed within the enclosure using the following procedure.

(i) Determine the direction of the wind current in the enclosure by slowly rotating a velometer inside the entrance to the enclosure until the maximum speed is located.

(ii) Record the maximum wind speed.

(2) Complete and record the results of a monthly visual inspection of the enclosure to determine if it is free of cracks, holes and other defects.

EXCEEDANCES:

An exceedance has occurred if the above requirements are not satisfied at any time. API Airtech shall report all exceedances and all corrections and adjustments made to avoid an exceedance as specified in § 63.468(h), Condition #15 in this permit.

Parameter Monitored: AIR FLOW

Upper Permit Limit: 50 feet per minute

Monitoring Frequency: MONTHLY

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 1/30/2012.

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

Condition 35: Compliance Certification

Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.465(e), Subpart T

Item 35.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 000079-01-6 TRICHLOROETHYLENE

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

API Airtech has one solvent vapor cleaning machine at the



facility. The calculated Potential to Emit (PTE) using Equation 6 of 40CFR 63.465(e), Subpart T, is as follows:

$$PTE_i = (H_i)(W_i)(SA_i)$$

$$PTE = (8760 \text{ hrs/yr}) (1.95 \text{ kg/sq.meter/hour}) (4.8 \text{ sq.meters})$$

$$= 81,993 \text{ kg/yr}$$

$$PTE = 90 \text{ tpy solvent}$$

This PTE value of 90 tpy represents the working mode uncontrolled emission rate from the solvent vapor cleaning machine. The facility is limiting solvent emissions by maintaining the equipment controls and monitoring actual monthly emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

Condition 36: Compliance Certification

Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.466(c), Subpart T

Item 36.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 000079-01-6 TRICHLOROETHYLENE

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Each cleaning machine shall have an automated parts handling system capable of moving parts or parts baskets at a horizontal conveyor speed and a vertical hoist speed of 11 feet per minute or less from the initial loading of parts through removal of cleaned parts. API Airtech shall monitor the horizontal conveyor speed and the vertical hoist speed as described below.

CONVEYOR SPEED AND HOIST SPEED MONITORING:



- (1) Determine the horizontal conveyor speed and the vertical hoist speed by measuring the time it takes for the hoist to travel a measured distance. The speed is equal to the distance in feet divided by the time in minutes (feet per minute).
- (2) No exceedances of the conveyor or hoist speed were measured during the first year of operation. As such, API Airtech may monitor the conveyor and hoist speeds QUARTERLY.
- (3) If an exceedance of the conveyor or hoist speed occurs during quarterly monitoring, the monitoring frequency returns to MONTHLY until another year of compliance without an exceedance is demonstrated.
- (4) If API Airtech can demonstrate to the Administrator's satisfaction in the initial compliance report that the hoist cannot exceed a speed of 3.4 meters per minute (11 feet per minute), the required monitoring frequency is quarterly, including during the first year of compliance.

EXCEEDANCES:

- (1) An exceedance has occurred if the conveyor or hoist speed exceeds 11 feet per minute at any time.
- (2) API Airtech shall report all exceedances and all corrections and adjustments as specified in § 63.468(h), Condition #15 in this permit.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: PARTS
Upper Permit Limit: 11 feet per minute
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
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 1/30/2012.
Subsequent reports are due every 6 calendar month(s).

Condition 37: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement: 40CFR 63.467(a), Subpart T

Item 37.1:
The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 9-5620-00040/02002

Facility DEC ID: 9562000040



Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner/operator of a batch vapor or in-line solvent cleaning machine complying with the provisions in 63.463 shall maintain the following records for the lifetime of the machine:

- 1) Owner's manuals, or if not available, written maintenance and operating procedures for the solvent cleaning machine and control equipment.
- 2) The date of installation for the solvent cleaning machine and all of its control devices. If the exact date for installation is not known, a letter certifying that the machine and control devices were installed prior to November 29, 1993 will suffice.
- 3) Records of the halogenated HAP solvent content for each solvent used in a solvent cleaning machine subject to Subpart T.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

Condition 38: Compliance Certification

Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.467(b), Subpart T

Item 38.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



The owner/operator of a batch vapor or in-line solvent cleaning machine complying with 63.463 shall maintain the following records for a period of five years.

- 1) The results of control device monitoring required under 63.466
- 2) Information on the actions taken to comply with 63.463(e) and (f) including records of written or verbal orders for replacement parts, a description of the repairs made, and additional monitoring conducted to demonstrate that monitored parameters have returned to accepted levels.
- 3) Estimates of annual solvent consumption for each solvent cleaning machine.
- 4) If a carbon adsorber is used, records of the date and results of the weekly measurement of the halogenated HAP solvent concentration in the carbon adsorber exhaust required in 63.466(e).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 6 calendar month(s).

Condition 39: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement: 40CFR 63.468(f), Subpart T

Item 39.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

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

Item 39.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The owner/operator of a batch vapor or in-line solvent cleaning machine complying with 63.463 shall submit an annual report by February 1 of the year following the one for which the reporting is being made. The report shall include the following:

- 1) A signed statement from the facility owner or the



designee stating that "All operators of solvent cleaning machines have received training on the proper operation of solvent cleaning machines and their control devices sufficient to pass the test required in 63.463(d)(10)"

2) An estimate of solvent consumption for each solvent cleaning machine during the reporting period.

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 40: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.468(h), Subpart T

Item 40.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Item 40.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Each owner or operator of a batch vapor or in-line solvent cleaning machine shall submit an exceedance report to the Administrator semiannually except when, the Administrator determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source or, an exceedance occurs. Once an exceedance has occurred the owner or operator shall follow a quarterly reporting format until a request to reduce reporting frequency under 40CFR 63.468(i) is approved. Exceedance reports shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate. The exceedance report shall include the applicable information in paragraphs (1) through (3) of this condition.

(1) Information on the actions taken to comply with §63.463 (e) and (f), if applicable. This information shall include records of written or verbal orders for replacement parts, a description of the repairs made, and additional monitoring conducted to demonstrate that monitored parameters have returned to accepted levels.

(2) If an exceedance has occurred, the reason for the



exceedance and a description of the actions taken.

(3) If no exceedances of a parameter have occurred, or a piece of equipment has not been inoperative, out of control, repaired, or adjusted, such information shall be stated in the report.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

**Condition 41: Reduction in submission frequency of exceedance report
Effective between the dates of 12/07/2011 and 12/06/2016**

Applicable Federal Requirement:40CFR 63.468(i), Subpart T

Item 41.1:

This Condition applies to Emission Unit: 1-00000

Item 41.2: An owner or operator who is required to submit an exceedance report on a quarterly (or more frequent) basis may reduce the frequency of reporting to semiannual if the conditions in paragraphs (1) through (3) of this condition are met.

(1) The source has demonstrated a full year of compliance without an exceedance.

(2) The owner or operator continues to comply with all relevant recordkeeping and monitoring requirements specified in 40CFR 63, Subpart A (General Provisions) and in 40CFR 63, Subpart T.

(3) The Administrator does not object to a reduced frequency of reporting for the affected source as provided in 40CFR 63.10(e)(3)(iii).

**Condition 42: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016**

Applicable Federal Requirement:40CFR 63.471(b)(1), Subpart T

Item 42.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must maintain a log of solvent additions and deletions for each solvent cleaning machine.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Facility DEC ID: 9562000040



Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

Condition 43: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.471(b)(2), Subpart T

Item 43.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 000079-01-6 TRICHLOROETHYLENE

Item 43.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

1. API Airtech must ensure the total emissions of trichloroethylene (TCE) used in all solvent cleaning machines are equal to or less than 14,100 kilograms or 31,020 pounds based on a 12-month rolling total emission limit as determined using the procedures in 40 CFR 63.471(c).
2. If the applicable facility-wide emission limit is not met, an exceedance has occurred. All exceedances shall be reported as required in §63.468(h).

Parameter Monitored: TRICHLOROETHYLENE

Upper Permit Limit: 31020 pounds per year

Reference Test Method: EPA Method 40 CFR 63 Subpart T

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

Condition 44: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.471(c), Subpart T

Item 44.1:



The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall on the first operating day of every month, demonstrate compliance with the applicable facility-wide emission limit on a 12-month rolling total basis using the procedures in paragraphs 40CFR 63.471(c)(1) through (5). For purposes of this paragraph, EACH SOLVENT CLEANING MACHINE means each solvent cleaning machine that is part of an affected facility regulated by this section.

(1) The owner or operator shall, on the first operating day of every month, ensure that each solvent cleaning machine system contains only clean liquid solvent. This includes, but is not limited to, fresh unused solvent, recycled solvent, and used solvent that has been cleaned of soiled materials. A fill line must be indicated during the first month the measurements are made. The solvent level within the machine must be returned to the same fill-line each month, immediately prior to calculating monthly emissions as specified in paragraphs (2) and (3). The solvent cleaning machine does not have to be emptied and filled with fresh unused solvent prior to the calculations.

(2) The owner or operator shall, on the first operating day of the month, using the records of all solvent additions and deletions for the previous month, determine solvent emissions (Eunit) from each solvent cleaning machine using equation 10 in 40CFR 63.471

(3) The owner or operator shall, on the first operating day of the month, determine SSR using the method specified in paragraph (i) or (ii).

(i) From tests conducted using EPA reference method 25d.

(ii) By engineering calculations included in the compliance report.

(4) The owner or operator shall on the first operating day of the month, after 12 months of emissions data are available, determine the 12-month rolling total emissions, ETunit, for the 12-month period ending with the most



recent month using equation 11 in 40CFR 63.471

(5) The owner or operator shall on the first operating day of the month, after 12 months of emissions data are available, determine the 12-month rolling total emissions, ETfacility, for the 12-month period ending with the most recent month using equation 12 in 40CFR 63.471

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

Condition 26: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement:40CFR 63.471(c), Subpart T

Item 26.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 000079-01-6 TRICHLOROETHYLENE

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. Solvent used in the Ultra Kool degreaser is distilled and recycled on a continuous basis. The still is drained weekly to remove machine oils and metal fines that have been cleaned from the parts. The volume drained is variable but is typically about 45 gallons. The degreaser is replenished to an established level using a sight glass with virgin TCE each time the still is drained. The volume replenished is 55 gallons of virgin TCE. By documenting the before and after volumes on a weekly basis, and using the concentration of TCE in the waste solvent determined previously by laboratory analysis, a determination of emissions is made on a weekly basis.
2. In addition, the solvent in the degreaser sump is completely drained and replaced with virgin TCE at least semi-annually.
3. API Airtech collected samples of the still bottoms on



June 14, 2010. The analytical results indicate the still bottoms are 79% TCE.

4. API Airtech collected samples of the degreaser sump on September 20, 2010. The analytical results indicate the drained sump liquid is 100% TCE.

Monitoring Frequency: WEEKLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due every 6 calendar month(s).

Condition 45: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement: 40CFR 63.471(e), Subpart T

Item 45.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Item 45.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The owner or operator shall maintain records specified in paragraphs (1) through (3) either in electronic or written form for a period of 5 years. For purposes of this paragraph, EACH SOLVENT CLEANING MACHINE means each solvent cleaning machine that is part of an affected facility regulated by this section.

(1) The dates and amounts of solvent that are added to each solvent cleaning machine.

(2) The solvent composition of wastes removed from each solvent cleaning machines as determined using the procedure described in paragraph (3).

(3) Calculation sheets showing how monthly emissions and the 12-month rolling total emissions from each solvent cleaning machine were determined, and the results of all calculations.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.



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

Condition 46: Compliance Certification
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable Federal Requirement: 40CFR 63.471(h), Subpart T

Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-00000

Regulated Contaminant(s):

CAS No: 000079-01-6 TRICHLOROETHYLENE

Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall submit a solvent emission report every year. This solvent emission report shall contain the requirements specified in paragraphs (h)(1) through (h)(3) of this section.

(1) The average monthly solvent consumption for the affected facility in kilograms per month.

(2) The 12-month rolling total solvent emission estimates calculated each month using the method as described in paragraph (c) of this section.

(3) This report can be combined with the annual report required in §63.468(f) and (g) into a single report for each facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

Subsequent reports are due every 12 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 47: Contaminant List
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable State Requirement:ECL 19-0301

Item 47.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000079-01-6
Name: TRICHLOROETHYLENE



CAS No: ONY100-00-0
Name: HAP

Condition 48: Unavoidable noncompliance and violations
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable State Requirement:6 NYCRR 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 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.

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(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: Visible Emissions Limited
Effective between the dates of 12/07/2011 and 12/06/2016

Applicable State Requirement:6 NYCRR 211.2

Item 49.1:

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.

