

New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 3-3352-00145/00049 Renewal Number: 1



08/21/2007

Facility Identification Data

Name: REVERE SMELTING & REFINING CORP
Address: 65 BALLARD RD
MIDDLETOWN, NY 10941

Owner/Firm

Name: REVERE SMELTING & REFINING CORP
Address: 2777 STEMINS FREEWAY - SUITE 1800
DALLAS, TX 75207, USA
Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

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Air Permitting Contact:

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65 BALLARD RD
MIDDLETOWN, NY 10941
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Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

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Summary Description of Proposed Project

Title V Renewal Permit. Facility has not proposed any modification to facility operations.

Attainment Status

REVERE SMELTING & REFINING CORP is located in the town of WALLKILL in the county of ORANGE.

The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	MODERATE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

** NOx has a separate ambient air quality standard in addition to being an ozone precursor

Facility Description

Revere Smelting & Refining Corporation (Revere) operates a secondary lead smelter located in the Town of Wallkill, Orange County, New York. Incoming raw materials consists primarily of used lead-acid batteries. The majority of these batteries are automotive type, although various types of industrial and specialty type lead-acid batteries are also received. Other types of lead-bearing materials amenable to process operations include materials received from lead-acid battery manufacturing plants and scrap metal.

Lead-acid batteries are fed into the battery wrecker where they are mechanically crushed, shredded and hammered for sizing. Solid components of the battery are separated by a sink/float system. Battery electrolyte is collected, and transferred to the scrubber metals co-precipitation process for pH adjustment. The battery case material is washed and pneumatically transferred into trailers for shipment to plastic recyclers.

The metal portion of the battery ("Battery Wrecker Material") is fed to a hopper and then metered to a

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natural gas fired rotary dryer which serves to reduce the moisture in the charge material. The dried charge material is continuously fed to the reverberatory furnace which is fired by natural gas, oxygen-enriched burners. Antimony, arsenic, tin, calcium, aluminum, and other alloying elements in the metal are oxidized to the slag while lead is refined to produce a low impurity lead metal. The lead metal is tapped either into molds or directly into refining kettles which are designed to convert the metal produced by the furnace into ingots of specific contents required by customer specifications. Two basic types of metal are produced in the refinery: "Hard Lead" and "Soft Lead." Hard lead contains relatively high amounts of alloying agents such as antimony, and soft lead is nearly pure lead. The compositions of these alloys are adjusted in the refining process to provide for the physical and metallurgical characteristics to satisfy customer requirements.

Revere also operates a crystallizer process which converts liquor from the onsite sulfur dioxide wet scrubber and neutralized battery electrolyte into sodium sulfate crystals which are sold on the open market.

Emission Sources

The main source of emissions at the facility are lead processing activities which include:

- Kiln drying of lead containing material;
- Smelting of dried lead containing material;
- Slag Casting;
- Refining Kettles; and
- Material Handling & Storage.

The lead processing areas are kept under negative pressure to ensure that no fugitive lead emissions are released from the facility. All point sources are controlled by baghouses. A scrubber is employed to remove sulfur dioxide from the reverberatory furnace.

Two diesel generators are used to provide supplemental power when requested by the utility company, and during power outages. The operation of these units is limited to 500 hours per year.

The Standard Industrial Classification representative of this facility is 3341 - Secondary Nonferrous Metals.

Revere is subject to numerous monitoring, recordkeeping and reporting requirements defined under 40 CFR 63-A, 40 CFR 63-X, 40 CFR 60-L, 6 NYCRR 201, 6 NYCRR 212, 6 NYCRR 225 and 6 NYCRR 227.

Permit Structure and Description of Operations

The Title V permit for REVERE SMELTING & REFINING CORP is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process.

A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission



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units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device.

[NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

REVERE SMELTING & REFINING CORP is defined by the following emission unit(s):
Emission unit 3GENER - TWO 30 mmBTU/hr DIESEL GENERATORS ARE USED TO PROVIDE SUPPLEMENTAL POWER WHEN REQUESTED BY THE UTILITY COMPANY, AND DURING POWER OUTAGES. THESE GENERATORS ARE LIMITED TO 500 HOURS (ANNUAL 12 MONTH ROLLING AVERAGE) AS PER APPROVED NOX RACT PLAN.

Emission unit 3GENER is associated with the following emission points (EP):
00005, 00006

It is further defined by the following process(es):

Process: GEN is located at Building MAIN - TWO DIESEL GENERATORS USED TO PROVIDE SUPPLEMENTAL POWER WHEN REQUESTED BY THE UTILITY COMPANY, AND DURING POWER OUTAGES. MAX OPERATING HOURS PER YEAR LESS THAN 500 HOURS/GENERATOR.

Emission unit 10LEAD - THIS EMISSION UNIT INCLUDES: REVERBERATORY FURNACE SYSTEM, SLAG CASTING, ROTARY DRYING KILN, REFINING KETTLES AND ASSOCIATED MATERIAL HANDLING EQUIPMENT. A NEGATIVE PRESSURE SYSTEM IS USED AT THE FACILITY TO CONTROL PROCESS SOURCES (63.543), PROCESS FUGITIVE SOURCES (63.544) AND FUGUTIVE DUST SOURCES (63.545). COLLECTED AIR FROM ASSOCIATED SOURCES ARE VENTED TO THIRTEEN (13) SEPERATE BAGHOUSE UNITS TO CONTROL LEAD EMISSIONS.

NINE (9) BAGHOUSE UNITS ARE USED TO CONTROL LEAD EMISSIONS ASSOCIATED WITH THE YARD BUILDING AREAS, REFINING AREAS, LEAD TAP AND FEED ROOM. EIGHT (8) OF THESE NINE (9) BAGHOUSE UNITS ARE PULSE TYPE HEPA FILTERS (PERMIT ID B6, B7, B8, B9, B10, B11, B12, B13) WITH ONE (1) BAGHOUSE UNIT (PERMIT ID B5) SITUATED UPSTREAM OF HEPA UNITS B6 AND B7.

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THE REMAINING FOUR (4) BAGHOUSE UNITS (PERMIT ID B1, B2, B3 AND B4) CONTROL LEAD EMISSIONS FROM PROCESS SOURCES INCLUDING REVERBERATORY FURNACE SYSTEM, SLAG CASTING, ROTARY KILN, REFINERY KETTLES AND ASSOCIATED MATERIAL HANDLING EQUIPMENT.

A SCRUBBER IS USED REMOVE SULFUR FROM THE REVERBERATORY FURNACE GAS STREAM. A 97% CONTROL EFFICIENCY OF SUFUR DIOXIDE EMISSIONS IS REQUIRED.

Emission unit 10LEAD is associated with the following emission points (EP):

00001, 00002, 00004, 00007, 00008, 00009, 00010, 00011, 00012, 00016, 00017

It is further defined by the following process(es):

Process: DRY is located at 1, Building MAIN - KILN DRYING OF LEAD CONTAINING MATERIAL.

Process: FRN is located at 1, Building MAIN - SMELTING OF DRIED LEAD CONTAINING MATERIAL AND TAPPING FURNACE PRODUCT.

Process: MHS MATERIAL HANDLING AND STORAGE INCLUDES: YARD BUILDING AREA, FEED ROOM, CENTRAL VACUUM SYSTEM AND DROSS BIN.

Process: REF is located at 1, Building MAIN - REFINING MOLTEN LEAD IN KETTLES. THERE ARE SEVEN KETTLES.

Process: SLG is located at 1, Building MAIN - SLAG CASTING.

Emission unit 4BOILR - A 12.5 MMBTU/HR BOILER (EP00015) IS USED TO SUPPLY PROCESS HEAT NEEDED TO OPERATE THE CRYSTALLIZATION PROCESS. THE BOILER FIRES NATURAL GAS AND IS EQUIPPED WITH LOW NOX BURNERS AND FLUE GAS RECIRCULATION AS STIPULATED BY THE APPROVED NOX RACT PLAN.

Emission unit 4BOILR is associated with the following emission points (EP):

00015

It is further defined by the following process(es):

Process: BLR is located at Building CRYST - NATURAL GAS FIRED BOILER RATED AT 12.55 MMBTU/HR WHICH PROVIDES REQUIRED HEAT FOR CRYSTALLIZATION PROCESS.

Emission unit 2CRYST - SODIUM SULFATE CRYSTALLIZER OPERATION WHICH CONVERTS LIQUOR FROM THE ONSITE SULFUR DIOXIDE WET SCRUBBER (S1) AND NEUTRALIZED BATTERY ELECTROLYTE INTO SODIUM SULFATE CRYSTALS.

THIS EMISSION UNIT CONSIST OF TWO PROCESS LINES INCLUDING THE SPRAY DRYER EQUIPPED WITH A BAGHOUSE (EP00024) AND THE DRYER, CYCLONE AND SCRUBBER (EP00014). SODIUM SULFATE PRODUCT IS STORED IN THREE SILOS. THE SILOS ARE EXEMPT SINCE THEY ARE CONNECTED IN SERIES AND VENTED THROUGH A BAGHOUSE COLLECTOR.

THE CRYSTALLIZER OPERATION UTILIZES AN EXEMPT EMERGENY GENERATOR (EP00020) TO SUPPLY ELECTRIC DURING PERIODS WHEN UTILITY SERVICE IS UNAVAILABLE.

Emission unit 2CRYST is associated with the following emission points (EP):

00014, 00024

It is further defined by the following process(es):

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Process: CRY is located at 1, Building CRYST - CRYSTALLIZATION OF SCRUBBER LIQUOR TO FORM SODIUM SULFATE CRYSTALS.

Title V/Major Source Status

REVERE SMELTING & REFINING CORP is subject to Title V requirements. This determination is based on the following information:

Oxides of Nitrogen and Sulfur Dioxide emissions exceed major stationary source threshold of 100 tons per year.

Emissions summary, CEM performance and CEM Audit results from the November 2, 2006 Quarterly Report is summarized below.

EP00001 (Kiln)

Pollutant	July	August	Sept
NOx	0.8 # / hr	1.1 # / hr	0.9 # / hr
SOx	4.1 # / hr	10.7 # / hr	7.7# / hr

CEM Downtime

NOx	27 hrs (1.22%)
SOx	28 hrs (1.27%)

CEM CGA High Low

SOx	<0.5%	<4%
NOx	<3%	<3%

EP00017 (Scrubber)

Pollutant	July	August	Sept
NOx	59.2 # / hr	77.3 # / hr	69.1 # / hr
SOx	16.2 # / hr	16.2 # / hr	14.7 # / hr

CEM Downtime

NOx	30 hrs
SOx	56 hrs (2.5%)

CEM CGA High Low

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SOx	<2%	<2%
NOx	<1%	<2%

Recent emission statement information as follows:

Lead emissions ~ 2000 pounds per year
Particulate emissions ~ 80,000 pounds per year
Sulfur Dioxide ~ 160,000 pounds per year
Oxides of Nitrogen ~ 500,000 pounds per year

Stack Test Report dated December 14, 2005 as follows:

EP 00001

Lead 0.13 pounds per hour
Particulate 0.50 pounds per hour

EP 00002

Lead 0.0024 pounds per hour
Particulate 0.032 pounds per hour

EP 00004

Lead 0.0040 pounds per hour
Particulate 0.023 pounds per hour

EP 00007

Lead 0.0035 pounds per hour
Particulate 0.560 pounds per hour

EP 00008

Lead 0.0016 pounds per hour
Particulate 0.110 pounds per hour

EP 00009

Lead 0.0220 pounds per hour
Particulate 0.580 pounds per hour

EP 00010

Lead 0.0022 pounds per hour
Particulate 0.084 pounds per hour

EP 00011

Lead 0.0011 pounds per hour
Particulate 0.076 pounds per hour

EP 00012

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Lead 0.0073 pounds per hour
Particulate 1.2 pounds per hour

EP 00014
Lead 0.000095 pounds per hour
Particulate 0.042 pounds per hour

EP 00016
Lead 0.0077 pounds per hour
Particulate 1.40 pounds per hour

EP 00017
Lead 0.0410 pounds per hour
Particulate 0.43 pounds per hour

EP 00024
Lead 0.00033 pounds per hour
Particulate 0.190` pounds per hour

Total Process Lead Emissions
 $0.2212 \text{ lbs/hr} \times 8760 \text{ hrs/yr} = 1938 \text{ lbs/yr}$

Total Process Particulate Emissions
 $5.227 \text{ lbs/hr} \times 8760 \text{ hrs/yr} = 45,788 \text{ lbs/yr}$

Program Applicability

The following chart summarizes the applicability of REVERE SMELTING & REFINING CORP with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES

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TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's)

MACT Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of

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meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code	Description
3341	SECONDARY NONFERROUS METALS

SCC Codes

SCC or Source Classification Code is a code developed and used by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
1-02-006-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS 10-100 MMBtu/Hr
2-01-001-02	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL)
3-04-004-10	Reciprocating SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - LEAD
3-04-004-14	Battery Breaking SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - LEAD

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3-04-004-99 Kettle Refining: Fugitive Emissions
 SECONDARY METAL PRODUCTION
 SECONDARY METAL PRODUCTION - LEAD
 Other Not Classified
 3-04-004-02 SECONDARY METAL PRODUCTION
 SECONDARY METAL PRODUCTION - LEAD
 Reverberatory Furnace

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Series code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
007440-38-2	ARSENIC (HAP)		> 0 but < 10 tpy
007440-50-8	COPPER		> 0 but < 2.5 tpy
0NY100-00-0	HAP		> 0 but < 2.5 tpy
007439-92-1	LEAD (HAP)		> 0 but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN		>= 250 tpy
0NY075-00-0	PARTICULATES		>= 50 tpy but < 100 tpy
007704-34-9	SULFUR		> 0 but < 2.5 tpy
007446-09-5	SULFUR DIOXIDE		>= 100 tpy but < 250 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6NYCRR Part 201-1.5

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry,

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the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)

This permit does not convey any property rights of any sort or any exclusive privilege.

Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the

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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 Part 201-6.5(i)

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

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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.

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NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Short Description	Condition
FACILITY	ECL 19-0301	Powers and Duties of the Department with respect to air pollution control	47
FACILITY	40CFR 60-L.122 (a)	Standards of Performance for Secondary Lead Smelters - standard for particulate matter	31, 32
FACILITY	40CFR 60-L.122 (b)	Standards of Performance for Secondary Lead Smelters - standard for particulate matter	33
FACILITY	40CFR 63-A.10	Recordkeeping and Reporting	34, 35, 36
FACILITY	40CFR 63-X.541 (b)	Subpart X - NESHAP for Secondary Lead Smelting	37
FACILITY	40CFR 63-X.543	Subpart X - Standards for Process Sources	38
FACILITY	40CFR 63-X.544	Subpart X - Standards for Process Fugitive Sources	39
FACILITY	40CFR 63-X.544 (b)	Subpart X - Standards for Process Fugitive Sources	40
FACILITY	40CFR 63-X.545	Subpart X - Standards for Fugitive Dust Sources	41
FACILITY	40CFR 63-X.548		42

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FACILITY	40CFR 68	Chemical accident prevention provisions	20
FACILITY	40CFR 82-F	Protection of Stratospheric Ozone - recycling and emissions reduction	21
FACILITY	6NYCRR 200.6	Acceptable ambient air quality.	1
FACILITY	6NYCRR 200.7	Maintenance of equipment.	10
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	48
FACILITY	6NYCRR 201-1.7	Recycling and Salvage	11
FACILITY	6NYCRR 201-1.8	Prohibition of reintroduction of collected contaminants to the air	22
FACILITY	6NYCRR 201-3.2(a)	Exempt Activities - Proof of eligibility	12
FACILITY	6NYCRR 201-3.3(a)	Trivial Activities - proof of eligibility	13
FACILITY	6NYCRR 201-6	Title V Permits and the Associated Permit Conditions	23, 43, 44
FACILITY	6NYCRR 201-6.5(a)(4)	General conditions	14
FACILITY	6NYCRR 201-6.5(a)(7)	General conditions	
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FACILITY	6NYCRR 201-6.5(a)(8)	General conditions	15
FACILITY	6NYCRR 201-6.5(c)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	3
FACILITY	6NYCRR 201-6.5(c)(2)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	4
FACILITY	6NYCRR 201-6.5(c)(3)(ii)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	5
FACILITY	6NYCRR 201-6.5(d)(5)	Compliance schedules	16
FACILITY	6NYCRR 201-6.5(e)	Compliance Certification	6
FACILITY	6NYCRR 201-6.5(f)(6)	Off Permit Changes	17
FACILITY	6NYCRR 202-1.1	Required emissions tests.	18
FACILITY	6NYCRR 202-2.1	Emission Statements - Applicability	7
FACILITY	6NYCRR 202-2.5	Emission Statements - record keeping requirements.	8
FACILITY	6NYCRR 211.2	General Prohibitions - air pollution prohibited.	49
FACILITY	6NYCRR 211.3	General Prohibitions - visible emissions limited	19
FACILITY	6NYCRR 212.10	NOx and VOC RACT required at major facilities	27
1-0LEAD	6NYCRR 212.10	NOx and VOC RACT required at major facilities	45
FACILITY	6NYCRR 212.11(b)(5)	Sampling and monitoring	28
FACILITY	6NYCRR 212.4(c)	General Process Emission Sources - emissions from new processes and/or modifications	24



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FACILITY	6NYCRR 212.5 (b)	Applicable emission standards	25
FACILITY	6NYCRR 212.6 (a)	General Process Emission Sources - opacity of emissions limited	26
FACILITY	6NYCRR 215	Open Fires	9
FACILITY	6NYCRR 225-1.2 (a) (2)	Sulfur in Fuel Limitations Post 12/31/87.	29
FACILITY	6NYCRR 227-1.3 (a)	Smoke Emission Limitations.	30
3-GENER	6NYCRR 227-2.1 (a) (6)	Further filtering of applicability	46

Applicability Discussion:

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-301.

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6NYCRR Part 200-.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6NYCRR Part 200-.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6NYCRR Part 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6NYCRR Part 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6NYCRR Part 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6NYCRR Part 201-3.2(a)



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An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6NYCRR Part 201-3.3(a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial 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.

6NYCRR Part 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6NYCRR 201-6.5(a)(4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6NYCRR 201-6.5(a)(7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6NYCRR 201-6.5(a)(8)

This is a mandatory condition for all facilities subject to Title V requirements. It

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allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6NYCRR Part 201-6.5(c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6NYCRR Part 201-6.5(c)(2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6NYCRR Part 201-6.5(c)(3)(ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6NYCRR 201-6.5(d)(5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6NYCRR Part 201-6.5(e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6NYCRR 201-6.5(f)(6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6NYCRR Part 202-1.1

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This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6NYCRR Part 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

6NYCRR Part 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6NYCRR Part 211-.2

This regulation prohibits any emissions of air contaminants to the outdoor atmosphere which may be detrimental to human, plant or animal life or to property, or which unreasonably interferes with the comfortable enjoyment of life or property regardless of the existence of any specific air quality standard or emission limit.

6 NYCRR Part 211.3

This condition requires that the opacity (i.e., the degree to which emissions other than water reduce the transmission of light) of the emissions from any air contamination source be less than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent.

6 NYCRR Part 215

Prohibits open fires at industrial and commercial sites.

40 CFR Part 68.

This Part lists the regulated substances and their applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

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Facility Specific Requirements

In addition to Title V, REVERE SMELTING & REFINING CORP has been determined to be subject to the following regulations:

40CFR 60-L.122 (a)

This regulation establishes an upper particulate emission limit applicable to emission points associated with the reverberatory furnace.

40CFR 60-L.122 (b)

This regulation establishes an upper opacity limit applicable to emission points associated with the refining kettles.

40CFR 63-A.10

This regulation defines recordkeeping and reporting requirement associated with continuous monitoring system baghouse leak detection system.

40CFR 63-X.541 (b)

This regulation references 40 CFR-A applicability.

40CFR 63-X.543

This regulation establishes an upper lead emission limit associated with the reverberatory furnace.

40CFR 63-X.544

This regulation establishes an upper lead emission limit associated process fugitive sources.

40CFR 63-X.544 (b)

This regulation defines operation of total enclosure.

40CFR 63-X.545

This regulation establishes an upper lead emission limit associated with fugitive dust sources.

40CFR 63-X.548

This regulation requires operation in accordance with Standard Operations Procedures Manual.

6NYCRR 212 .10

This regulation limits niter addition to all processes operated at Revere which is based on past NOx RACT determination.

6NYCRR 212 .11 (b) (5)

This section requires Revere to continue operation of continuous monitoring systems.

6NYCRR 212 .4 (c)

This rule requires existing sources (in operation after July 1, 1973) of solid particulates with environmental rating of B or C which are not subject to Table 5 "Processes for which Permissible Emission Rate is Based on Process Weight, to be limited to an particulate emission rate not to exceed



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0.05 grains per dry standard cubic foot.

6NYCRR 212 .5 (b)

This regulation establishes SO2 control efficiency required.

6NYCRR 212 .6 (a)

This rule specifies an opacity limitation of less than 20% for any six consecutive minute period for all process emission sources.

6NYCRR 225-1.2 (a) (2)

This regulation prohibits any person from selling, offering for sale, purchasing or using any fuel which contains sulfur in a quantity exceeding the limitations set forth in Table 1, Table 2, or Table 3 of this section.

6NYCRR 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6NYCRR 227-2.1 (a) (6)

This condition limits electric generator time as part of past reasonably available control technology (RACT) determination for oxides of nitrogen (NOx).

Compliance Certification

Summary of monitoring activities at REVERE SMELTING & REFINING CORP:

Location Facility/EU/EP/Process/ES	Type of Monitoring	Cond No.
FACILITY	intermittent emission testing	31
FACILITY	monitoring of process or control device parameters as surrogate	32
FACILITY	monitoring of process or control device parameters as surrogate	33
FACILITY	record keeping/maintenance procedures	36
FACILITY	record keeping/maintenance procedures	37
FACILITY	intermittent emission testing	38
FACILITY	intermittent emission testing	39
FACILITY	record keeping/maintenance procedures	40
FACILITY	intermittent emission testing	41
FACILITY	record keeping/maintenance procedures	42
FACILITY	record keeping/maintenance procedures	5
FACILITY	record keeping/maintenance procedures	6
FACILITY	record keeping/maintenance procedures	7
FACILITY	monitoring of process or control device parameters as surrogate	27
1-OLEAD	record keeping/maintenance procedures	45
FACILITY	record keeping/maintenance procedures	28
FACILITY	intermittent emission testing	24
FACILITY	intermittent emission testing	25
FACILITY	monitoring of process or control device parameters as surrogate	26



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FACILITY	work practice involving specific operations	29
FACILITY	monitoring of process or control device parameters as surrogate	30
3-GENER	work practice involving specific operations	46

Basis for Monitoring

A Consent Order, executed December 2, 1999, is the basis for the following NOx RACT permitted limits.

1. The two diesel generators on site identified as emission points 00005 & 00006 are capped at a maximum of 500 hours in any consecutive 12 month period.
2. Niter additions at the facility are capped at a maximum of 234 tons in any consecutive 12 month period.
3. The rotary kiln NOx emissions shall be capped at a maximum of 5.04 lbs per operating hour on a 12 month rolling average. Revere understands that the 5.04 lbs/operating hour on a 12 month rolling average basis will be treated as a special condition and incorporated into the Title V permit for the facility. Revere will calculate the rolling average at the end of every month. This average will be included in the quarterly CEM reports, which are submitted to NYSDEC.
4. The reverberatory furnace is in compliance with NOx RACT in its current state. Any modifications of the furnace that may affect NOx emissions in the future must go through a NOx RACT evaluation at that time.

Revere Smelting utilizes an oxidizing process whereby lead, in the presence of sodium hydroxide becomes oxidized by additions of sodium nitrate (Niter). The niter also oxidizes the impurities arsenic, antimony and tin which are subsequently collected as sodium arsenate, antimonate and stannate. NOx emissions are 0.077 lbs per lb of niter addition.

SO2 control efficiency 97% required by 6NYCRR Part 212. A scrubber was installed circa 1997 downstream of Baghouse B1 and B2 to achieve control efficiency.

Revere is subject to lead emission limits under 40CFR63.X and particulate emission limits under 6NYCRR 212. A Performance Test to determine compliance was performed in October 2005. Results of the test, documented by report dated December 23, 2005, are summarized below.

EP 00001	Lead - 0.00073 gr/dscf < 0.00087 gr/dscf 40CFR63.543(a) process source limit **1
EP 00001	Particulates - 0.0029 gr/dscf < 0.150 gr/dscf 6NYCRR 212.3(b) limit
EP 00001	SO2 - 99.5% > 97% 6NYCRR 212.5(b) control efficiency required
EP 00002	Lead - 0.00002 gr/dscf < 0.00087 gr/dscf 40CFR63.544(c) process fugitive source
EP 00002	Particulates - 0.00023 gr/dscf < 0.050 gr/dscf 6NYCRR 212.4(c) limit
EP 00004	Lead - 0.00001 gr/dscf < 0.00087 gr/dscf 40CFR63.545(e) fugitive dust source limit



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EP 00004 Particulates - 0.0001 gr/dscf < 0.050 gr/dscf 6NYCRR 212.4(c) limit

EP 00007 Lead - 0.00001 gr/dscf < 0.00087 gr/dscf 40CFR63.545(e) fugitive dust source limit
EP 00007 Particulates - 0.0016 gr/dscf < 0.050 gr/dscf 6NYCRR 212.4(c) limit

EP 00008 Lead - 0.00001 gr/dscf < 0.00087 gr/dscf 40CFR63.544(c) process fugitive source
EP 00008 Particulates - 0.0005 gr/dscf < 0.050 gr/dscf 6NYCRR 212.4(c) limit

EP 00009 Lead - 0.00007 gr/dscf < 0.00087 gr/dscf 40CFR63.544(c) process fugitive source
EP 00009 Particulates - 0.0019 gr/dscf < 0.050 gr/dscf 6NYCRR 212.4(c) limit

EP 00010 Lead - 0.00001 gr/dscf < 0.00087 gr/dscf 40CFR63.544(c) process fugitive source
EP 00010 Particulates - 0.0003 gr/dscf < 0.050 gr/dscf 6NYCRR 212.4(c) limit

EP 00011 Lead - 0.00001 gr/dscf < 0.00087 gr/dscf 40CFR63.544(c) process fugitive source
EP 00011 Particulates - 0.0004 gr/dscf < 0.050 gr/dscf 6NYCRR 212.4(c) limit

EP 00012 Lead - 0.00002 gr/dscf < 0.00087 gr/dscf 40CFR63.544(c) process fugitive source
EP 00012 Particulates - 0.0028 gr/dscf < 0.022 gr/dscf 40CFR60.122(a) limit

EP 00016 Lead - 0.00002 gr/dscf < 0.00087 gr/dscf 40CFR63.544(c) process fugitive source
EP 00016 Particulates - 0.0031 gr/dscf < 0.022 gr/dscf 40CFR60.122(a) limit

EP 00017 Lead - 0.00012 gr/dscf < 0.00087 gr/dscf 40CFR63.543(a) process source limit
EP 00017 Particulates - 0.0012 gr/dscf < 0.022 gr/dscf 40CFR60.122(a) limit
EP 00017 SO2 - 99.5% > 97% 6NYCRR 212.5(b) control efficiency required

EP 00014 Particulates - 0.0029 gr/dscf < 0.050 gr/dscf 6NYCRR 212.4(c) limit
 Lead - 0.00001 gr/dscf (not subject to 40CFR63.X)

EP 00024 Particulates - 0.0093 gr/dscf < 0.050 gr/dscf 6NYCRR 212.4(c) limit
 Lead - 0.00001 gr/dscf (not subject to 40CFR63.X)

**1 - Lead emissions (EP00001) greater than 50% of regulatory limit. Retesting annually required.

Performance Test to determine compliance was performed in October 2006. Results of the test, documented by report dated December 11, 2006, are summarized below.

EP 00001 Lead - 0.000034 gr/dscf < 0.00087 gr/dscf 40CFR63.543(a) process source limit
EP 00001 Particulates - 0.00068 gr/dscf < 0.150 gr/dscf 6NYCRR 212.3(b) limit