



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 3-3352-00145/00049

Renewal Number: 2

09/29/2015

Facility Identification Data

Name: REVERE SMELTING & REFINING CORP

Address: 65 BALLARD RD

MIDDLETOWN, NY 10941

Owner/Firm

Name: REVERE SMELTING & REFINING CORP

Address: 2777 STEMMONS FWY STE 1800

DALLAS, TX 75207, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: THOMAS M MILLER

Address: NYSDEC - REGION 3

21 S PUTT CORNERS RD

NEW PALTZ, NY 12561-1696

Phone:8452563149

Division of Air Resources:

Name: THOMAS M MILLER

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21 S PUTT CORNERS RD

NEW PALTZ, NY 12561-1696

Phone:8452563149

Air Permitting Contact:

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Middletown, NY 10941

Phone:8456924414

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.

Summary Description of Proposed Project

Title V Renewal Permit. Facility permit was last modified in 2008 for the installation and operation of the short rotating reverberatory furnace.

Attainment Status

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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 operates a secondary lead smelter located in the Town of Wallkill, upper Orange County, New York. The facility operates continuously 24 hours a day, 7 days a week. Incoming raw materials for the secondary lead production process 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 facility 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 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. 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 the customer requires. The facility produced some 104,000 tons of refined lead during calendar year 2006 which was supplied primarily to battery manufacturers.

Revere Smelting & Refining also operates a sodium sulfate crystalizer process which converts liquor from



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the onsite sulfur dioxide wet scrubbers 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
- Smelting of lead bearing reverberatory slag
- Slag Casting
- Refining Kettles, and
- Material Handling & Storage

The lead processing areas are kept under negative pressure to ensure that no fugitive lead and particulate emissions are released from the facility. All point sources are controlled by baghouses. Scrubbers are employed to remove sulfur dioxide from the reverberatory furnace and short rotary furnace. Refinery combustion sources utilize natural gas as fuel. The natural gas fuel is combined with pure oxygen to enhance combustion and reduces the formation of Oxides of Nitrogen (NOx). In a separate by-product recovery operation, the scrubber liquor and neutralized battery electrolyte is processed to form sodium sulfate crystals for resale.

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.

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 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):



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Emission unit 1SRFKD - Short rotary furnace (SRF) and rotating kiln dryer. The SRF is equipped with a 10 mmbtu/hr low NOx burner. Both combustion units fire natural gas as fuel and utilize burners which combines pure oxygen to the fuel to enhance combustion. Baghouse units (permit ID B3 and srfbh) are used to control lead and particulate emissions. These baghouse units are subject to the proper operation of leak detection systems. The SRF is also equipped with a scrubber device to control sulfur dioxide emissions.

Emission unit 1SRFKD is associated with the following emission points (EP):

00001

Process: DRY is located at 1, Building MAIN - Kiln drying of lead containing material.

Process: SRF is located at Building MAIN - Short rotary furnace which fires natural gas fuel and utilizes a low NOx burner which combines pure oxygen to the fuel to enhance combustion. The short rotary furnace is used primarily to smelt lead bearing slag from the reverberatory furnace.

Emission unit 2CRYST - Sodium sulfate crystallizer operation which converts liquor from the onsite sulfur dioxide wet scrubber and neutralized battery electrolyte into sodium sulfate crystals. This emission unit consist of two process lines including the spray dryer equipped with a baghouse (EP 00024) and the dryer, cyclone and scrubber (EP 00014). 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 emergency generator (EP 00020) to supply electric during periods when utility service is unavailable.

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

00014, 00024

Process: CRY is located at 1, Building CRYST - Crystallization of neutralized battery electrolyte and scrubber liquor to form sodium sulfate crystals.

Emission unit 3GENER - Two 30 mmbtu/hr diesel generators 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 the approved NOx RACT plan.

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

00005, 00006

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 4BOILR - A 12.5 mmbtu/hr boiler (EP 00015) 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.



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00015

Process: BLR is located at Building CRYST - Natural gas fired boiler rates at 12.55 MMbtu/hr which provides the required heat for the crystallization process.

Emission unit 10LEAD - This emission unit includes: reverberatory furnace system, slag casting, refining kettles and associated material handling equipment. A negative pressure system is used at the facility to control process sources and process fugitive sources. Collected air from associated sources are vented to twelve (12) separate baghouse units to control lead and particulate 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.

The remaining three (3) baghouse units (permit ID B1, B2, and B4) control lead emissions from process sources including reverberatory furnace system, slag casting, refinery kettles and associated material handling equipment. These baghouse units are subject to the proper operation of leak detection systems.

A scrubber is used remove sulfur from the reverberatory furnace gas stream. A 97% control efficiency of sulfur dioxide emissions is required.

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

00002, 00004, 00007, 00008, 00009, 00010, 00011, 00012, 00016, 00017, 00025

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: NIT is located at Building MAIN - Addition of niter in support of refining lead.

Process: REF is located at 1, Building MAIN - Refining molten lead in seven kettles. Natural gas is used as fuel to supply heat required for refining.

Process: SLG is located at 1, Building MAIN - Slag casting.

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.

Program Applicability

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

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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
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.



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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 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)

3-04-004-02

Reciprocating
SECONDARY METAL PRODUCTION
SECONDARY METAL PRODUCTION - LEAD
Reverberatory Furnace

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3-04-004-10	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - LEAD Battery Breaking
3-04-004-14	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - LEAD Kettle Refining: Fugitive Emissions
3-04-004-99	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - LEAD Other Not Classified

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service 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	Range
		lbs/yr	
001746-01-6	2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN	> 0	but < 10 tpy
007440-38-2	ARSENIC	> 0	but < 10 tpy
007440-43-9	CADMIUM	> 0	but < 10 tpy
000630-08-0	CARBON MONOXIDE	>= 2.5	tpy but < 10 tpy
007440-50-8	COPPER	> 0	but < 2.5 tpy
00E966-48-1	HYDROCARBONS, TOTAL GAS CHROMATOGRAPH	> 0	but < 2.5 tpy
007439-92-1	LEAD	> 0	but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN	>= 250	tpy but < 75,000 tpy
0NY075-00-0	PARTICULATES	>= 50	tpy but < 100 tpy
0NY075-00-5	PM-10	>= 10	tpy but < 25 tpy
007704-34-9	SULFUR	> 0	but < 2.5 tpy
007446-09-5	SULFUR DIOXIDE	>= 100	tpy but < 250 tpy
007664-93-9	SULFURIC ACID	> 0	but < 2.5 tpy
0NY100-00-0	TOTAL HAP	> 0	but < 2.5 tpy
0NY998-00-0	VOC	>= 10	tpy but < 25 tpy

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NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;
- (3) During the period of the emergency the facility owner 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 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 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 Part 201-6.2(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 201-6.2(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant



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to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(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 201-6.4(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 201-6.4(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 201-6.4(a)(6)

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

Item I: Severability - 6 NYCRR Part 201-6.4(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 201-6.4(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

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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 201-6.4(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



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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.

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	Condition	Short Description

FACILITY	ECL 19-0301	62	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-L.122 (a)	30, 31	Standards of Performance for Secondary Lead Smelters - standard for particulate matter
FACILITY	40CFR 60-L.122 (b)	32	Standards of Performance for Secondary Lead Smelters - standard for particulate matter
FACILITY	40CFR 63-A.10	33, 34	Recordkeeping and Reporting
FACILITY	40CFR 63-X.541 (b)	35	Subpart X - NESHAP

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FACILITY	40CFR 63-X.543	36, 37, 38, 39	for Secondary Lead Smelting
FACILITY	40CFR 63-X.543 (c)	40, 41	Subpart X - Standards for Process Sources
FACILITY	40CFR 63-X.544 (c)	42	Subpart X Standards for Process Sources
FACILITY	40CFR 63-X.544 (d)	43	Subpart X - Standards for Process Fugitive Sources
FACILITY	40CFR 63-X.545 (a)	44	Subpart X - Standards for Fugitive Dust Sources
FACILITY	40CFR 63-X.548	45, 46, 47	
FACILITY	40CFR 63-X.550	48, 49	Subpart X - Recordkeeping and Reporting Requirements
FACILITY	40CFR 68	19	Chemical accident prevention provisions
FACILITY	40CFR 82-F	20	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	63	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	21, 50, 51	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	22	Compliance Schedules

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FACILITY	6NYCRR 201-6.4 (e)	6	- Progress Reports
FACILITY	6NYCRR 201-6.4 (f) (6)	17	Compliance Certification
FACILITY	6NYCRR 201-7	52	Off Permit Changes
1-0LEAD/-/NIT	6NYCRR 201-7	53	Federally Enforceable Emissions Caps
1-0LEAD/-/REF	6NYCRR 201-7	54	Federally Enforceable Emissions Caps
1-SRFKD/00001	6NYCRR 201-7	57, 58	Federally Enforceable Emissions Caps
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	23	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 212.10	26	NOx and VOC RACT required at major facilities
1-SRFKD/-/SRF	6NYCRR 212.10 (a) (2)	56	NOx and VOC RACT required at major facilities
3-GENER	6NYCRR 212.10 (a) (2)	60	NOx and VOC RACT required at major facilities
4-BOILR/00015	6NYCRR 212.10 (a) (2)	61	NOx and VOC RACT required at major facilities
FACILITY	6NYCRR 212.11 (b) (5)	27	Sampling and monitoring
FACILITY	6NYCRR 212.4 (c)	24	General Process Emission Sources - emissions from new processes and/or modifications
FACILITY	6NYCRR 212.6 (a)	25	General Process Emission Sources - opacity of emissions limited
1-0LEAD/00017	6NYCRR 212.9	55	Tables.
1-SRFKD/00001	6NYCRR 212.9	59	Tables.
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2 (f)	28	Sulfur-in-Fuel Limitations
FACILITY	6NYCRR 227-1.3 (a)	29	Smoke Emission Limitations.
1-SRFKD/00001	6NYCRR 231-2	58	New Source Review in Nonattainment Areas and Ozone Transport Region
1-0LEAD/-/NIT	6NYCRR 231-6	53	Mods to Existing Major Facilities in Nonattainment and Attainment Areas of the State in the OTR
1-0LEAD/-/REF	6NYCRR 231-6	54	Mods to Existing Major Facilities in



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1-0LEAD/-/REF	6NYCRR 231-7	54	Nonattainment and Attainment Areas of the State in the OTR New Major Facilities and Mod to Existing Non-major Facilities in Attainment Areas (PSD)
1-SRFKD/00001	6NYCRR 231-7	57	New Major Facilities and Mod to Existing Non-major Facilities in Attainment Areas (PSD)

Applicability Discussion:

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

ECL 19-0301

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.

6 NYCRR 200.6

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

6 NYCRR 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

6 NYCRR 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.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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.

6 NYCRR 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



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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.

6 NYCRR Subpart 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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.



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6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 201-6.4 (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.

6 NYCRR 202-1.1

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.

6 NYCRR 202-2.1

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

6 NYCRR 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.

6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

40 CFR Part 68

This Part lists the regulated substances and there 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.

Facility Specific Requirements



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

40 CFR 60.122 (a)

This condition defines the opacity and particulate limits associated with the reverberatory and short rotary furnace.

40 CFR 60.122 (b)

This condition defines the opacity limit associated with the refining kettles.

40 CFR 63.10

Section 63.10 contains default general recordkeeping requirements as well as recordkeeping for applicability determinations and continuous monitoring systems. It also contains default reporting requirements for "one shot" items such as performance test results and immediate startup shutdown, malfunction reports. It also contains periodic (semi-annual) reporting requirements for startup, shutdown, and malfunction; excess emissions; and continuous monitoring performance.

40 CFR 63.541 (b)

This condition identifies Table 1 listing of applicable general provisions.

40 CFR 63.543

These conditions outlines applicable lead emission limits.

40 CFR 63.543 (c)

These conditions outline dioxin / furan and total hydrocarbon emission limits for the reverberatory furnace.

40 CFR 63.544 (c)

This condition outlines total enclosure requirements.

40 CFR 63.544 (d)

This condition requires inspection of the facility enclosure.

40 CFR 63.545 (a)

This condition the requirements to operate under the standard operating procedures manual.

40 CFR 63.548

These conditions outline temperature and pressure differential monitoring.



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40 CFR 63.550

This condition outlines recordkeeping and reporting requirements.

6 NYCRR 211.1

This regulation requires that 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.

6 NYCRR 212.10

6 NYCRR 212.10 (a) (2)

6 NYCRR 212.11 (b) (5)

This section sets the requirements for sampling, monitoring, recordkeeping, and reporting from process sources using continuous monitors.

6 NYCRR 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 0.05 grains per dry standard cubic foot.

6 NYCRR 212.6 (a)

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

6 NYCRR 212.9

This section of the regulation contains the descriptions and definitions of the environmental ratings system and the tables which set the emission standards for each rating.

6 NYCRR 225-1.2 (f)

Sulfur-in-fuel limitations for the purchase of #2 heating oil on or after July 1, 2012.

6 NYCRR 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits



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smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6 NYCRR Subpart 201-7

This regulation sets forth an emission cap that cannot be exceeded by the facility.

6 NYCRR Subpart 231-2

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

6 NYCRR Subpart 231-6

This Subpart applies to modifications to existing major facilities in non-attainment areas and attainment areas of the State within the OTR.

6 NYCRR Subpart 231-7

This Subpart applies to new major facilities and modifications to existing non-major facilities in attainment areas (prevention of significant deterioration (PSD)).

Compliance Certification

Summary of monitoring activities at REVERE SMELTING & REFINING CORP:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

FACILITY	30	monitoring of process or control device parameters as surrogate
FACILITY	31	intermittent emission testing
FACILITY	32	monitoring of process or control device parameters as surrogate
FACILITY	35	record keeping/maintenance procedures
FACILITY	36	record keeping/maintenance procedures
FACILITY	37	record keeping/maintenance procedures
FACILITY	38	intermittent emission testing
FACILITY	39	intermittent emission testing
FACILITY	40	intermittent emission testing
FACILITY	41	intermittent emission testing

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FACILITY	42	monitoring of process or control device parameters as surrogate
FACILITY	43	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
FACILITY	45	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	47	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
1-0LEAD/-/NIT	53	work practice involving specific operations
1-0LEAD/-/REF	54	work practice involving specific operations
1-SRFKD/00001	57	continuous emission monitoring (cem)
1-SRFKD/00001	58	continuous emission monitoring (cem)
FACILITY	7	record keeping/maintenance procedures
FACILITY	26	record keeping/maintenance procedures
1-SRFKD/-/SRF	56	record keeping/maintenance procedures
3-GENER	60	work practice involving specific operations
4-BOILR/00015	61	record keeping/maintenance procedures
FACILITY	27	record keeping/maintenance procedures
FACILITY	24	intermittent emission testing
FACILITY	25	monitoring of process or control device parameters as surrogate
1-0LEAD/00017	55	intermittent emission testing
1-SRFKD/00001	59	intermittent emission testing
FACILITY	28	work practice involving specific operations
FACILITY	29	monitoring of process or control device parameters as surrogate

Basis for Monitoring

EP00002 COM: This emission point shall continue to be equipped with a Continuous Opacity Monitoring (COM) based on a relatively dry stack gas. The NESHAPS testing performed on this emission point in 2011 indicated moisture levels in the range of 0.78% to 1.34%. Because of the 10% opacity limitation in Subpart L for refining operations, the COM provides the opportunity for an early-warning alarm system with interlocks that interrupt refining operations in the event of the potential for an opacity violation. Revere shall continue to operate the COM and maintain records available to the Department upon request. DEC reserves the option of performing an independent opacity evaluation using EPA Method 9 or requiring that Revere perform Method 9 evaluations upon request.

EP00001 COM: This emission point has shown inadequate stack gas conditions to support the reliable functioning of a Continuous Opacity Monitoring (COM). The NESHAPS testing performed on this emission point in 2011 indicated moisture levels in the range of 7.54% to 8.24%, or 5.6 to 10.6 times higher than EP00002. This high level of moisture was introduced to EP00001 with the addition of the scrubber to control SO2 emissions from the Short Rotary Furnace. Since the startup of the Short Rotary Furnace, Revere has reported periodic false positive alarms on the existing COM on EP00001 with the most frequent cause of false alarm being the presence of moisture on the COM lens. This condition is exacerbated by colder temperatures causing increased moisture condensation in the stack during the winter months.

Because of the difficulties associated with maintaining a COM in a high-moisture environment, DEC is replacing the requirement to maintain a COM at EP00001 with a requirement that Revere perform a Method 9 visible emissions observation upon request by DEC. DEC also reserves the option of performing an independent opacity evaluation using EPA Method 9.



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EP00017 COM: This emission point has shown inadequate stack gas conditions to support the reliable functioning of a Continuous Opacity Monitoring (COM). The NESHAPS testing performed on this emission point in 2011 indicated moisture levels in the range of 13.29% to 17.28%, or 9.9 to 22.2 times higher than EP00002. This high level of moisture is introduced to EP00017 by the SO2 scrubber required to control emissions from the Reverbatory Furnace.

Because of the difficulties associated with maintaining a COM in a high-moisture environment, DEC has historically utilized a requirement that Revere perform a Method 9 visible emissions observation upon request by DEC as a substitute for a COM. DEC also reserves the option of performing an independent opacity evaluation using EPA Method 9. This compliance approach will be continued with the renewal of the Title V permit.

SRF only Source Testing Requirements for CO, Pb, As, Cd, VOC and PM10:

Results from SRF-only testing compared to the originally established limits for various constituents are presented in the table below:

Constituent	2010 Result	2011 Result	Permit Limit	% of Permit Limit
CO	6.47 lbs/hour	6.13 lbs/hour	22.0 lbs/hour	27.8% - 29.4%
PM10	1.06 lbs/hour	<0.454 lbs/hour	3.34 lbs/hour	13.6% - 31.7%
Pb	<0.0023 lbs/hour	0.00932 lbs/hour	0.13 lbs/hour	1.8% - 7.2%
As	<0.0000578 lbs/hour	<0.0000282 lbs/hour	0.0014 lbs/hour	2.0% - 4.1%
Cd	0.0000202 lbs/hour	<0.000012 lbs/hour	0.0012 lbs/hour	0.01% - 1.7%
VOC	<0.05 lbs/hour		3.42 lbs/hour	1.5%

For criteria pollutants (CO, PM10 and VOC), emission limits were established in the originally issued permit for the Short Rotary Furnace (SRF) to assure that New Source Review (NSR) thresholds would not be approached pending the results of testing. Because testing has demonstrated that existing emission limits for these criteria pollutants have not been approached and are a fraction of the initial emission limits, it is clear that the construction of the SRF has not triggered NSR. Because NSR has not been triggered and because emissions for these criteria pollutants are a fraction of the permit limit, the annual SRF-only test requirement is being removed. DEC reserves the right to require that Revere perform SRF-only testing for CO, PM10 and/or VOC if requested.

For Lead (Pb) which is both a criteria pollutant and a hazardous air pollutant, a health-protective emission limit was established in the initially issued permit for the SRF to assure that NSR thresholds and modeled ground level concentrations would not be approached pending the results of testing. Because testing has demonstrated that the Pb emission limit has not been approached, and because Pb emissions from the SRF are less than 10% of the existing emission limit, it is clear that the construction of the SRF has not triggered NSR and has not resulted in emissions approaching the modeled ground level concentrations presented in the SRF permit application. Because NSR has not been triggered and because Pb emissions are a fraction of the permit limit, the annual SRF-only test requirement is being removed. Periodic test requirements and emission limits contained in Subpart X remain in place and will continue to be enforced.

For Arsenic (As) and Cadmium (Cd), which are hazardous air pollutants, health-protective emission limits were established in the initially issued permit for the SRF to assure that modeled ground level concentrations presented in the permit application would not be approached pending the results of testing.



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Because testing has demonstrated that the As and Cd emission limits have not been approached, and because As and Cd emissions from the SRF are less than 5% of the existing emission limit, it is clear that the construction of the SRF has not resulted in emissions approaching the modeled ground level concentrations presented in the SRF permit application. Because As and Cd emissions are a fraction of the permit limit, the annual SRF-only test requirement for these constituents is being removed. DEC reserves the right to require that Revere perform SRF-only testing for As and Cd if requested.

Regarding Hourly Emission Limits for SRF NO_x and SO₂:

The initial permit issued for the Short Rotary Furnace (SRF) contained both hourly emission limits (based on a monthly average) and rolling 12-month annual mass emission caps for NO_x and SO₂. The initial NO_x limits included emissions from both the SRF and the Kiln while the SO₂ limits were applicable to emissions from the SRF only. Certified CEMS are currently in place which monitor NO_x and SO₂ emissions from the Kiln directly. Certified CEMS also in place which monitor NO_x and SO₂ from the combined SRF and Kiln exhaust stream (EP00001). SRF-only emissions are derived by subtracting the Kiln-only CEMS-monitored emissions from the combined SRF and Kiln CEMS-monitored emissions.

Quarterly CEMS reports have demonstrated that the rolling NO_x and SO₂ 12-month caps, which are intended to protect New Source Review (NSR) thresholds, have not been approached. As a result, the hourly emission limits are no longer necessary. Combined NO_x from the Kiln and SRF typically is approximately 50% of the 33.73 tons per rolling 12-month period limit. SRF-only emissions for SO₂ are typically less than 10% of the 38.54 tons per rolling 12-month period limit. A cap of 33.73 tons NO_x per rolling 12-month period will be maintained for the combined SRF and Kiln emissions. A cap of 38.54 tons SO₂ per rolling 12-month period limit for SO₂ will be maintained and will now apply to the combined SRF and Kiln emissions until such time as a CEMS is certified which monitors SO₂ from the SRF directly. When direct SRF monitoring is accomplished via certified-CEMS, the 33.73 tons of NO_x per rolling 12-month period and the 38.54 tons of SO₂ per rolling 12-month period limits will apply only to SRF emissions and will no longer include Kiln emissions. At its discretion, Revere may decommission the existing Kiln-only NO_x and SO₂ CEMS. The renewal permit retains the annual limit rolled monthly for both SO₂ and NO_x emissions. Hourly limits have been removed from the renewal permit.

Total Hydrocarbon and D/F emission limits do not apply to the short rotary furnace in accordance with the Federal Register / Vol. 77, No. 3 / Thursday, January 5, 2012 / Rules and Regulations page 564 which states "the EPA is not adopting numerical limits for THC and D/F emissions from rotary furnaces pending further data gathering and analysis for this furnace type."