

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 4-0103-00016/00048**

**6/7/02 15:28:26**



**Facility Identification Data**

Name: NORLITE CORP  
Address: 628 S SARATOGA ST  
City: COHOES  
Zip: 12047

**Owner/Firm**

Name: NORLITE CORP  
City: COHOES  
State: NY Country: USA Zip: 12047  
Owner Classification: Corporation/Partnership

**Permit Contacts**

Division of Environmental Permits:  
Name: WILLIAM J. CLARKE  
Phone: 5183572069

Division of Air Resources:  
Name: PETER M. EMPIE

Air Permitting Facility Owner Contact:  
Name: TIMOTHY F. LACHELL  
Address: NORLITE CORPORATION  
628 SOUTH SARATOGA STREET

**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)(2) 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 separate document and is not itself an enforceable term and condition of the permit.

**Summary Description of Proposed Project**

INITIAL TITLE V OPERATING PERMIT

**Attainment Status**

NORLITE CORP is located in the town of COHOES in the county of ALBANY. 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.)



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Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	MARGINAL 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

FACILITY PRODUCES EXPANDED LIGHTWEIGHT AGGREGATE. IN TWO KILNS FIRED WITH OIL, GAS, WASTE OIL AND HAZARDOUS WASTE FUELS.

Permit Structure and Description of Operations

The Title V permit for NORLITE 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

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- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

NORLITE CORP is defined by the following emission unit(s):

Emission unit KILNSG - PRODUCTION OF EXPANDED AGGREGATE IN ROTARY KILNS USING NATURAL SHALE AS THE RAW MATERIAL FEED AND HAZARDOUS WASTES AND NON-HAZARDOUS WASTE OILS, NATURAL GAS, AND NOS. 2, 4 AND/OR 6 FUEL OILS AS FUEL SOURCES.

This emission unit covers the operation of the following:

Kiln # 1, Emission point 00001

Kiln # 2, Emission point 00002

Clinker cooler #1, Emission Point # 0003A

Clinker Cooler #2, Emission point # 0003B

Building : B3, Main Plant

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

00001, 00002, 0003A, 0003B

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

Process: KCC is located at Building B3 - KILN #1 AND #2 CLINKER COOLERS. PRODUCTION OF EXPANDED AGGREGATE IN ROTARY KILNS USING NATURAL SHALE AS THE RAW MATERIAL FEED AND HAZARDOUS AND NON-HAZARDOUS WASTE OILS, NATURAL GAS, AND NOS. 2, 4 AND/OR 6 FUEL OILS AS FUEL SOURCES.

Process: KHF is located at Building B3 - KILNS #1 AND #2 SCRUBBER EXHAUST. PRODUCTION OF EXPANDED AGGREGATE IN ROTARY KILNS USING NATURAL SHALE AS THE RAW MATERIAL FEED AND HAZARDOUS WASTE.

Process: KNF is located at Building B3 - KILNS #1 AND #2 SCRUBBER EXHAUST. PRODUCTION OF EXPANDED AGGREGATE IN ROTARY KILNS USING NATURAL SHALE AS THE RAW MATERIAL FEED AND NON-HAZARDOUS WASTE, NATURAL GAS, OR NOS. 2, 4 AND 6 FUEL OILS..

Emission unit MISCES - TRANSPORTATION, LOADING AND UNLOADING OF PRODUCT, KILN FEED AND RIM SEAL, SCREENING AND HOPPER OPERATIONS, UNLOADING OF FUEL, DRUM STORAGE, FUEL TRANSFER SYSTEM, FUTURE SCREEN, CONVEYOR AND PELLETIZER, AND QUARRY OPERATIONS.

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

00018, 00046, 00047, 00048, 00049, 00050

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

Process: DRS is located at Building B4 - DRUM STORAGE.

Process: FSH is located at Building B2 - FINISHING PLANT SCREEN, HOPPER, CONVEYORS, BELTS, AND STACKER OPERATIONS. CLINKER IS FED TO THE FINISHING PLANT WHERE IT IS SIZED, SCREENED, AND BLENDED TO YIELD LIGHT WEIGHT AGGREGATE.

Process: FTS is located at Building B2 - FUEL TRANSFER SYSTEM. FUEL IS TRANSFERRED FROM THE STORAGE TANKS TO THE KILNS.

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Process: KFR is located at Building B3 - KILNS #1 AND #2 FEED AND RIM SEAL (FRONT AND REAR).

Process: PSH is located at Building B1 - PRIMARY PLANT SCREEN, HOPPER, CONVEYORS, BELTS, AND STACKER OPERATIONS. SHALE IS CRUSHED, SCREENED, AND THEN CONVEYED TO THE KILNS TO PRODUCE CLINKER.

Process: QRY is located at Building B5 - QUARRY OPERATIONS. QUARRY BLASTING, DRILLING, LOADING OPERATIONS, AND VEHICULAR TRANSPORTATION.

Process: TLD is located at Building B1 - LOADING AND UNLOADING OPERATIONS. LOADING AND UNLOADING PRODUCT, AND VEHICULAR TRANSPORTATION (EXCLUDING QUARRY VEHICULAR TRANSPORTATION).

Process: ULF is located at Building B1 - UNLOADING OF FUEL. UNLOADING OF HAZARDOUS FUEL INTO STORAGE TANKS.

Emission unit STANKS - HAZARDOUS WASTE FUEL STORAGE TANKS

Emission unit STANKS is associated with the following emission points (EP):  
00019

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

Process: HFT is located at Building B4 - HAZARDOUS WASTE FUEL STORAGE TANKS. ABOVE GROUND HAZARDOUS WASTE FUEL TANKS (6x9,516 GALLON). ON THE RARE OCCASION THAT BOTH KILNS ARE NOT OPERATING, THESE STORAGE TANKS WILL VENT TO AN ACTIVE CARBON ADSORPTION CONTROL DEVICE (CARB2).

Process: HWT is located at Building B4 - HAZARDOUS WASTE FUEL STORAGE TANKS. BELOW GROUND HORIZONTAL HAZARDOUS WASTE FUEL TANKS (3x27,652 GALLON AND 1x22,700 GALLON). ON THE RARE OCCASION THAT BOTH KILNS ARE NOT OPERATING, THESE STORAGE TANKS WILL VENT TO AN ACTIVE CARBON ADSORPTION CONTROL DE VICE (CARB2).

Emission unit STPOPS - STORAGE PILE OPERATIONS.

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

Process: FPS is located at Building B2 - FINISHING PLANT STORAGE PILE OPERATIONS. STORAGE PILE OPERATIONS INCLUDE THE LOADING OF MATERIAL ONTO PILES AND UNLOADING OF MATERIAL FROM PILES

Process: PPS is located at Building B1 - PRIMARY PLANT STORAGE PILE OPERATIONS. STORAGE PILE OPERATIONS INCLUDE THE LOADING OF MATERIAL ONTO PILES AND UNLOADING OF MATERIAL FROM PILES

Emission unit CRUSHS - SHALE AND LIGHTWEIGHT CRUSHERS

This emission unit covers the crushers for the raw shale and crushers for the expanded shale from the kiln.

Buildings:

B1 : Primary Plant which processes the raw shale from the quarry

B2 : Finishing Plant which processes the expanded aggregate from the kiln

B5 : Quarry

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

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Process: 212 is located at Building B1 - PRIMARY PLANT ROCK CRUSHER APPLICABLE TO 6 NYCRR PART 212. SHALE IS CRUSHED TO THE DESIRED SIZE WITH THIS PROCESS WHICH IS LOCATED AT THE PRIMARY PLANT.

Process: FPC is located at Building B2 - FINISHING PLANT ROCK CRUSHER. LIGHTWEIGHT AGGREGATE IS CRUSHED TO THE DESIRED SIZE WITH THIS PROCESS WHICH IS LOCATED AT THE FINISHING PLANT.

Process: OOO is located at Building B1 - PRIMARY PLANT ROCK CRUSHER APPLICABLE TO 40 CFR 60 SUBPART 000. SHALE IS CRUSHED TO THE DESIRED SIZE WITH THE PROCESS WHICH IS LOCATED AT THE PRIMARY PLANT. THE OEPERATIONS OF THE CEDAR RAPIDS PORTABLE CRUSHER (PRTJC) WILL BE RESTRICTED TO 6 AM - 9 PM MO NDAY THROUGH SATURDAY.

**Title V/Major Source Status**

NORLITE CORP is subject to Title V requirements. This determination is based on the following information:

THIS FACILITY IS A MAJOR SOURCE FOR OXIDES OF NITROGEN, PARTICULATES, PM-10, VOC, AND HAPS

**Program Applicability**

The following chart summarizes the applicability of NORLITE CORP with regards to the principal air pollution regulatory programs:

<b>Regulatory Program</b>	<b>Applicability</b>
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	YES
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

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#### 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.

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**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 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

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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
3241	CEMENT, HYDRAULIC

### 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
3-05-900-01	MINERAL PRODUCTS MINERAL PRODUCTS - FUEL FIRED EQUIPMENT DISTILLATE OIL (NO. 2): PROCESS HEATERS
3-05-999-99	MINERAL PRODUCTS MINERAL PRODUCTS - OTHER NOT DEFINED Specify in Comments Field
3-05-020-09	MINERAL PRODUCTS STONE QUARRYING-PROCESSING (SEE ALSO 3-05-320 FOR DIFFERENT UNITS)
3-05-020-06	Blasting: General MINERAL PRODUCTS STONE QUARRYING-PROCESSING (SEE ALSO 3-05-320 FOR DIFFERENT UNITS)
3-05-020-07	Miscellaneous Operations: Screen/Convey/Handling MINERAL PRODUCTS STONE QUARRYING-PROCESSING (SEE ALSO 3-05-320 FOR DIFFERENT UNITS)
3-05-020-01	Open Storage MINERAL PRODUCTS STONE QUARRYING-PROCESSING (SEE ALSO 3-05-320 FOR DIFFERENT UNITS)
3-05-020-04	Primary Crushing MINERAL PRODUCTS STONE QUARRYING-PROCESSING (SEE ALSO 3-05-320 FOR DIFFERENT UNITS)

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5-03-008-30 UNITS)  
 Recrushing/Screening  
 SOLID WASTE DISPOSAL - INDUSTRIAL  
 SOLID WASTE DISPOSAL: INDUSTRIAL - TREATMENT, STORAGE,  
 DISPOSAL /TSDF  
 Containers: Fugitive Emissions

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
001746-01-6	2,3,7,8-TETRACHLORODIBENZO-P-D IOXIN(HAP)	> 0	but < 10 tpy
007440-36-0	ANTIMONY(HAP)	> 0	but < 10 tpy
007440-38-2	ARSENIC(HAP)	> 0	but < 10 tpy
007440-39-3	BARIUM	> 0	but < 2.5 tpy
000095-47-6	BENZENE,1,2-DIMETHYL(HAP)	> 0	but < 10 tpy
007440-41-7	BERYLLIUM(HAP)	> 0	but < 10 tpy
007440-43-9	CADMIUM(HAP)	> 0	but < 10 tpy
000630-08-0	CARBON MONOXIDE	>= 250	tpy
007782-50-5	CHLORINE(HAP)	> 0	but < 10 tpy
007738-94-5	CHROMIC ACID(HAP)	> 0	but < 10 tpy
007440-47-3	CHROMIUM(HAP)	> 0	but < 10 tpy
007440-50-8	COPPER	> 0	but < 2.5 tpy
000075-09-2	DICHLOROMETHANE(HAP)	> 0	but < 10 tpy
0NY100-00-0	HAP	>= 50	tpy but < 100 tpy
068476-44-8	HYDROCARBONS C>4	>= 10	tpy but < 25 tpy
068527-16-2	HYDROCARBONS C1-3	>= 10	tpy but < 25 tpy
007647-01-0	HYDROGEN CHLORIDE(HAP)	>= 10	tpy
007439-92-1	LEAD(HAP)	> 0	but < 10 tpy
007439-97-6	MERCURY(HAP)	> 0	but < 10 tpy
000067-56-1	METHYL ALCOHOL(HAP)	>= 10	tpy
000078-93-3	METHYL ETHYL KETONE(HAP)	> 0	but < 10 tpy
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS(HAP)	> 0	but < 10 tpy

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0NY210-00-0	OXIDES OF NITROGEN	>= 250 tpy
0NY075-00-0	PARTICULATES	>= 250 tpy
0NY075-00-5	PM-10	>= 250 tpy
007782-49-2	SELENIUM(HAP)	> 0 but < 10 tpy
007440-22-4	SILVER	> 0 but < 2.5 tpy
007446-09-5	SULFUR DIOXIDE	>= 250 tpy
007440-28-0	THALLIUM	> 0 but < 2.5 tpy
000108-88-3	TOLUENE(HAP)	> 0 but < 10 tpy
0NY998-00-0	VOC	>= 50 tpy but < 100 tpy
007440-66-6	ZINC	> 0 but < 2.5 tpy

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**Item A: Sealing - 6NYCRR Part 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6**

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

**Item C: Maintenance of Equipment - 6NYCRR Part 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and

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procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2**

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Item E: Emergency Defense - 6NYCRR Part 201-1.5**

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

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
  - (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
  - (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
  - (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

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

**Item F: Recycling and Salvage - 6NYCRR Part 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8**

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Item H: 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 I: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility

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which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

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

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

**Item M: 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 N: 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 O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)**

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where

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information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

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

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

**Item Q: 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 R: Fees - 6 NYCRR Part 201-6.5(a)(7)**

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

**Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)**

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Item T: 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

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permit shall continue to be valid.

**Item U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)**

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

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

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit

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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 X: Reopening for Cause - 6 NYCRR Part 201-6.5(i)**

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

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

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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 Y: Required Emission Tests - 6 NYCRR Part 202-1.1**

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

**Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3**

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

**Item AA: Open Fires - 6 NYCRR Part 215**

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**Item BB: 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

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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 CC: 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**

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Location Facility/EU/EP/Process/ES	Regulation	Short Description	Condition
C-RUSHS/-/OOO	40CFR 60-000.672(c)	Rock, gravel, sand, and clay processing and conveying - standard for particulate matter	47
FACILITY	40CFR 63-A.10	Recordkeeping and Reporting	38, 39
FACILITY	40CFR 63-A.4	Prohibited Activities and Circumvention	37
M-ISCES/-/DRS	40CFR 63-DD.683(b)(2)(ii)	NESHAP for Offsite Waste and Recovery Operations - General Standards	114
M-ISCES/-/FTS	40CFR 63-DD.683(b)(2)(ii)	NESHAP for Offsite Waste and Recovery Operations - General Standards	120, 121
M-ISCES/-/ULF	40CFR 63-DD.683(b)(2)(ii)	NESHAP for Offsite Waste and Recovery Operations - General Standards	123, 124
M-ISCES/-/DRS	40CFR 63-DD.683(b)(3)	NESHAP for Offsite Waste and Recovery Operations - General Standards	115
S-TANKS/-/HWT	40CFR 63-DD.683(b)(3)	NESHAP for Offsite Waste and Recovery Operations - General Standards	128
M-ISCES/-/FTS	40CFR 63-DD.683(c)	NESHAPS: Off-Site Waste and Recovery 63.683(c) Process Vents	122
M-ISCES/-/ULF	40CFR 63-DD.683(c)	NESHAPS: Off-Site Waste and Recovery 63.683(c) Process Vents	125
M-ISCES/-/DRS	40CFR 63-DD.683(d)	NESHAPS : Off site Waste and Recovery Operations Equipment Leaks	116
S-TANKS/-/HWT	40CFR 63-DD.683(d)	NESHAPS : Off site Waste and Recovery Operations Equipment Leaks	129
M-ISCES/-/DRS	40CFR 63-DD.688	NESHAP for Off-Site Waste and Recovery Operations-st andards:containers Hazardous Waste	117, 118
FACILITY	40CFR 63-EEE.	Combustors	40
K-ILNSG/00001	40CFR 63-EEE.1205(a)(1)	63.1205(a)(1) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - dioxins/furans	71
K-ILNSG/00002	40CFR 63-EEE.1205(a)(1)	63.1205(a)(1) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - dioxins/furans	98
K-ILNSG/00001	40CFR 63-EEE.1205(a)(2)	63.1205(a)(2) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - Mercury	72
K-ILNSG/00002	40CFR 63-EEE.1205(a)(2)	63.1205(a)(2) Emission limit standards for existing hazardous waste burning lightweight	99

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K-ILNSG/00001	40CFR 63-EEE.1205(a)(3)	aggregate kilns - Mercury 63.1205(a)(3) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - lead, cadmium	73
K-ILNSG/00002	40CFR 63-EEE.1205(a)(3)	63.1205(a)(3) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - lead, cadmium	100
K-ILNSG/00001	40CFR 63-EEE.1205(a)(4)	Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - Arsenic,beryllium, chromium	74
K-ILNSG/00002	40CFR 63-EEE.1205(a)(4)	Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - Arsenic,beryllium, chromium	101
K-ILNSG/00001	40CFR 63-EEE.1205(a)(5)(i)	63.1205(a)(5)(i) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - Carbon Monoxide	75
K-ILNSG/00002	40CFR 63-EEE.1205(a)(5)(i)	63.1205(a)(5)(i) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - Carbon Monoxide	102
K-ILNSG/00001	40CFR 63-EEE.1205(a)(5)(ii)	63.1205(a)(5)(ii) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - Hydrocarbons	76
K-ILNSG/00002	40CFR 63-EEE.1205(a)(5)(ii)	63.1205(a)(5)(ii) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - Hydrocarbons	103
K-ILNSG/00001	40CFR 63-EEE.1205(a)(6)	63.1205(a)(6) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - HCL/CL2	77
K-ILNSG/00002	40CFR 63-EEE.1205(a)(6)	63.1205(a)(6) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - HCL/CL2	104
K-ILNSG/00001	40CFR 63-EEE.1205(a)(7)	63.1205(a)(7) Emission limit standards for existing hazardous waste burning lightweight aggregate kilns - PM	78
K-ILNSG/00002	40CFR 63-EEE.1205(a)(7)	63.1205(a)(7) Emission	105

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		limit standards for existing hazardous waste burning lightweight aggregate kilns - PM	
K-ILNSG/00001	40CFR 63-EEE.1205(c)(1)	63.1205(c)(1) Destruction and removal standards for existing hazardous waste burning lightweight aggregate kilns	79
K-ILNSG/00002	40CFR 63-EEE.1205(c)(1)	63.1205(c)(1) Destruction and removal standards for existing hazardous waste burning lightweight aggregate kilns	106
K-ILNSG/00001	40CFR 63-EEE.1205(c)(2)	63.1205(c)(2) Standards for existing hazardous waste burning lightweight aggregate kilns - 99.9999% DRE	80
K-ILNSG/00002	40CFR 63-EEE.1205(c)(2)	63.1205(c)(2) Standards for existing hazardous waste burning lightweight aggregate kilns - 99.9999% DRE	107
FACILITY	40CFR 63-EEE.1205(e)	Hazardous Waste Burning Lightweight Aggregate Kiln Standards for Equipment Leaks, Tanks, Surface Impoundments and Containers	42, 41
K-ILNSG	40CFR 63-EEE.1206	Compliance With Standards and Operating Requirements	49, 48
K-ILNSG	40CFR 63-EEE.1206(b)	Compliance with standards	50
K-ILNSG/00001	40CFR 63-EEE.1207	Performance Test Requirements	81, 82, 83, 84
K-ILNSG/00002	40CFR 63-EEE.1207	Performance Test Requirements	108, 109, 110, 111
K-ILNSG	40CFR 63-EEE.1209	Monitoring Requirements	51
FACILITY	40CFR 63-EEE.1210	Notification Requirements	43
K-ILNSG	40CFR 63-EEE.1210	Notification Requirements	52, 53
K-ILNSG	40CFR 63-EEE.1211	Recordkeeping and reporting requirements	55, 56, 54, 57, 59, 58
K-ILNSG/00001	40CFR 63-EEE.1211	Recordkeeping and reporting requirements	85, 86
K-ILNSG/00002	40CFR 63-EEE.1211	Recordkeeping and reporting requirements	112, 113
FACILITY	40CFR 82-F.	Protection of Stratospheric Ozone - recycling and emissions reduction	44
FACILITY	6NYCRR 200.5	Sealing.	1
FACILITY	6NYCRR 200.6	Acceptable ambient air quality.	2
FACILITY	6NYCRR 200.7	Maintenance of equipment.	3
FACILITY	6NYCRR 201-1.10(b)	Permitting - public access to records kept for Title V permitting	8
FACILITY	6NYCRR 201-1.2	Permitting - unpermitted emission sources	4
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	130
FACILITY	6NYCRR 201-1.5	Emergency defense	5
FACILITY	6NYCRR 201-1.7	Recycling and Salvage	6
FACILITY	6NYCRR 201-1.8	Prohibition of reintroduction of	7

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		collected contaminants to the air	
FACILITY	6NYCRR 201-3.2(a)	Exempt Activities - Proof of eligibility	9
FACILITY	6NYCRR 201-3.3(a)	Trivial Activities - proof of eligibility	10
FACILITY	6NYCRR 201-5.	State Facility Permit General Provisions	131, 132
FACILITY	6NYCRR 201-5.3(b)	Permit Content and Terms of Issuance - permit conditions	133
FACILITY	6NYCRR 201-6.	Title V Permits and the Associated Permit Conditions	11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 45, 46
FACILITY	6NYCRR 201-6.5(c)(3)(ii)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	24
FACILITY	6NYCRR 201-6.5(e)	Compliance Certification	25
FACILITY	6NYCRR 201-6.5(f)	Operational flexibility	26
FACILITY	6NYCRR 201-6.5(g)	Permit shield	27
FACILITY	6NYCRR 202-1.1	Required emissions tests.	28
FACILITY	6NYCRR 202-2.1	Emission Statements - Applicability	29
FACILITY	6NYCRR 202-2.5	Emission Statements - record keeping requirements.	30
FACILITY	6NYCRR 211.2	General Prohibitions - air pollution prohibited.	134
FACILITY	6NYCRR 211.3	General Prohibitions - visible emissions limited	31
K-ILNSG/00001	6NYCRR 212.10	NOx and VOC RACT required at major facilities	69
K-ILNSG/-/KNF	6NYCRR 212.10(c)	NOx and VOC RACT required at major facilities	61
K-ILNSG/00001	6NYCRR 212.10(c)	NOx and VOC RACT required at major facilities	70
K-ILNSG/00002	6NYCRR 212.10(c)	NOx and VOC RACT required at major facilities	97
FACILITY	6NYCRR 212.11(a)	Sampling and monitoring	33
K-ILNSG/00001	6NYCRR 212.3(b)	General Process Emission Sources - emissions from existing emission sources	65, 66, 62, 63, 64
K-ILNSG/00002	6NYCRR 212.3(b)	General Process Emission Sources - emissions from existing emission sources	89, 90, 92, 88, 87, 91
K-ILNSG/00001	6NYCRR 212.4(b)	New processes	135, 68, 67
K-ILNSG/00002	6NYCRR 212.4(b)	New processes	95, 96, 136, 93, 94
K-ILNSG/-/KCC	6NYCRR 212.4(c)	General Process Emission Sources - emissions from new processes and/or modifications	60
M-ISCES/-/FSH	6NYCRR 212.4(c)	General Process Emission Sources - emissions from new processes and/or modifications	119
FACILITY	6NYCRR 212.6(a)	General Process Emission	32

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FACILITY	6NYCRR 225-1.2(a)(2)	Open Fires	34
		Sulfur in Fuel	35
		Limitations Post 12/31/87.	
FACILITY	6NYCRR 225-2.7	Reports, sampling and analysis of waste fuels A and B.	36
S-TANKS/-/HFT	6NYCRR 229.3(e)(2)(v)	Volatile organic liquid storage tanks	126
S-TANKS/-/HFT	6NYCRR 229.5(d)	Recordkeeping - VOL storage tanks	127

**Applicability Discussion:**

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

6NYCRR Part 200-5

Allows for the sealing of non-compliant air contamination sources

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 201-1.2

Any existing emission source that is required to be permitted or registered but has not done so, must apply for the necessary permit or registration. The source is subject to all regulations that were applicable at the time the original permit or registration was required as well as any subsequent applicable requirements that came into effect since.

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 201-1.5

An enforcement action may be avoided if the facility can demonstrate that an emergency situation occurred which resulted in an emission limitation or permit violation. The following information would constitute evidence of an emergency

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situation: a properly signed operating log recorded during the actual event which; identifies the cause(s) of the emergency, indicates that all equipment was operating properly at the time, the person responsible took all reasonable steps to minimize the exceedance or violation, and that the department was notified of the emergency within 2 working days of the event.

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 contaminants to the air

6NYCRR Part 201-1.10(b)

Any permit application, compliance plan, permit, and monitoring and compliance certification report that is submitted as part of the Title V permit process must be made available to the public as per requirements set forth under 6 NYCRR Part 616 - Public Access to Records and section 114(c) of the Clean Air Act Amendments of 1990.

6NYCRR Part 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.

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 201-5

General Provisions - this requirement applies to those permit terms and conditions which are not federally enforceable; specifies that permittees must maintain emission units and control devices in compliance with all rules; authorizes reasonable access for inspections for department representatives; requires that on-site monitoring recordkeeping be made available for review for at least 5 years.

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Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the state-only portion of the permit, unless they are specifically addressed by it.

#### 6NYCRR Part 201-5.3(b)

Lists those contaminants subject to contaminant specific requirements

#### 6NYCRR Part 201-6

General provisions for Title V permits including:

Applicable Criteria, Limits, Terms, Conditions and Standards - requires that facility operations take place in accordance with approved criteria, emission limits, terms, conditions and standards as specified in the permit and that any documents required by the federally enforceable portion of the permit be certified by a responsible official

Cessation or Reduction of Permitted Activity Not a Defense - specifies that the cessation or reduction of a permitted activity to maintain compliance is not a defense in an enforcement action

Compliance Requirements - lists the information that must be included in any required compliance monitoring records and reports; and requires; compliance with any approved compliance schedule; the submittal of risk management plans as per 112(r) of the Act if necessary; and the submittal of compliance progress reports on a semiannual basis, at a minimum

Federally-Enforceable Requirements - specifies what permit terms and conditions, in general, are federally enforceable

Fees - requires the permittee to pay any required fees

Monitoring, Related Recordkeeping and Reporting Requirements - requires all compliance monitoring and recordkeeping to be conducted according to the terms and conditions of the permit and any Q/A requirements; any monitoring or support information is to be retained for minimum of 5 years.

Permit Revocation, Modification, Reopening, Reissuance or Termination and Associated Information Submission Requirements - specifies that the permit may be modified, revoked, reopened and reissued, or terminated for cause; and the permittee must furnish information regarding the permit to the department upon reasonable request

Permit Shield - sets forth criteria under which the permit shield applies and what authority the department maintains in pursuing violations

Property Rights - specifies that the permit does not convey any property rights

Reopening Cause - sets forth criteria and procedures for reopening a permit

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Right to Inspect - establishes authority whereby department representatives may enter and inspect a facility

Severability - establishes that the permit continues to be valid in instances where any provisions, parts or conditions of the permit are found to be invalid or are the subject of a challenge

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 Part 201-6.5(g)

Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the federally enforceable portion of the permit, unless they are specifically addressed by it.

6NYCRR Part 202-1.1

Specifies that emissions tests may be required to ascertain compliance with any air pollution codes and rules.

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

Specifies the emission statement records that must be maintained for a 5 year period.

6NYCRR Part 211-.2

General air pollution prohibition

6 NYCRR Part 211.3

Restricts the opacity of visible emissions from any air contamination source.

6 NYCRR Part 215

Prohibits open fires at industrial and commercial sites.

40 CFR Part 82, Subpart F

Requires affected permittees to comply with the recycling and emissions reduction standards specified by this rule when using ozone depleting substances identified under Title VI of the Act. Specifically, these regulations apply to the following persons or activities:

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- a. Persons opening appliances for maintenance, service, repair, or disposal
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances
  - c. Persons performing maintenance, service, repair, or disposal of appliances
  - d. Persons disposing of small appliances, motor vehicle air conditioners or MVAC's, and MVAC-like appliances
  - e. Persons owning commercial or industrial process refrigeration equipment
  - f. Owners/operators of appliances normally containing 50 or more pounds.
- If applicable, the above persons or activities may be required to comply with certain disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

### Facility Specific Requirements

In addition to Title V, NORLITE CORP has been determined to be subject to the following regulations:

#### 40CFR 60-000.672 (c)

15% OPACITY LIMIT ON CRUSHERS

#### 40CFR 63-A.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.

#### 40CFR 63-A.4

Section 63.4 outlines generally prohibited activities such as operating in noncompliance with applicable standards and circumventing the rules. It requires sources to comply with Part 63 requirements regardless of whether those requirements have been included in a title V (NYCRR Part 201-6) permit for the source. Intentional or unintentional concealment of an emission that would otherwise violate a standard is itself a violation.

#### 40CFR 63-DD.683 (b) (2) (ii)

This regulation requires the owner or operator of the facility to limit the concentration of volatile organic hazardous air pollutants (VOHAP) to 500 parts per million for each off-site waste stream placed in a unit with a process vent. The VOHAP concentration must be determined the first time the waste is placed in the unit and then annually thereafter.

#### 40CFR 63-DD.683 (b) (3)

This regulation requires the owner or operator to control leaks of hazardous air pollutants (HAP) from the following types of equipment: equipment that contacts off-site material having a HAP concentration greater than 10% (i.e., 100,000 ppmw); equipment that is operated more than 300 hours per year; and equipment that is a pump, compressor, agitator, pressure relied device, sampling connection system, open ended valve or line, valve, connector or instrumentation system.

#### 40CFR 63-DD.683 (c)

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HAP CONTROL ON PROCESS VENTS

40CFR 63-DD.683 (d)

(d) Equipment leaks

40CFR 63-DD.688

This regulation sets forth the requirements for control of air emissions from containers used for off-site waste streams. The control requirements are specified in 40 CFR 63 Subpart PP: National Emissions Standards for Containers.

40CFR 63-EEE.

Who is subject to these regulations?

The provisions of this subpart apply to all hazardous waste combustors: hazardous waste incinerators, hazardous waste burning cement kilns, and hazardous waste burning lightweight aggregate kilns, except as provided in Table 1 of this section. Hazardous waste combustors are also subject to applicable requirements under parts 260-270 of this chapter.

(a) What if I am an area source? (1) Both area sources and major sources are subject to this subpart.

(2) Both area sources and major sources, not previously subject to title V, are immediately subject to the requirement to apply for and obtain a title V permit in all States, and in areas covered by part 71 of this chapter.

(b) These regulations in this subpart do not apply to sources that meet the criteria in Table 1 of this Section, as follows:

Table 1 to Sec. 63.1200.--Hazardous Waste Combustors Exempt From Subpart EEE

If	And if	Then
(1) You are a previously affected source.	(i) You ceased feeding hazardous waste for a period of time greater than the hazardous waste residence time (i.e., hazardous waste no longer resides in the combustion chamber);.	You are no longer subject to this subpart (Subpart EEE).
	(ii) You have initiated the closure requirements of subpart G, parts 264 or 265 of this	

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chapter;  
(iii) You begin complying with the requirements of all other applicable standards of this part (Part 63); and.  
(iv) You notify the Administrator in writing that you are no longer an affected source under this subpart (Subpart EEE).

(2) You are a research, development, and demonstration source. You operate for no longer than one year after first burning hazardous waste (Note that the Administrator can extend this one-year restriction on a case-by-case basis upon your written request documenting when you first burned hazardous waste and the justification for needing additional time to perform research, development, or demonstration operations.). You are not subject to this subpart (Subpart EEE). You are not subject to this subpart (Subpart EEE). This exemption applies even if there is a hazardous waste combustor at the plant site that is regulated under this subpart. You still, however, remain subject to Sec. 270.65 of this chapter.

(3) The only hazardous wastes you burn are exempt from regulation under Sec. 266.100(c) of this chapter. You are not subject to the requirements of this subpart (Subpart EEE).

-----  
(c) Table 1 of this section specifies the provisions of subpart A (General Provisions, §§ 63.1-63.15) that apply and those that do not apply to sources affected by this subpart.

[64 FR 53038, Sept. 30, 1999, as amended at 65 FR 42297, July 10, 2000]

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40CFR 63-EEE.1205 (a) (1)  
EMISSION LIMITS

40CFR 63-EEE.1205 (a) (2)  
EMISSION LIMITS

40CFR 63-EEE.1205 (a) (3)  
EMISSION LIMITS

40CFR 63-EEE.1205 (a) (4)  
EMISSION LIMITS

40CFR 63-EEE.1205 (a) (5) (i)  
EMISSION LIMITS

40CFR 63-EEE.1205 (a) (5) (ii)  
EMISSIONS LIMITS

40CFR 63-EEE.1205 (a) (6)  
EMISSION LIMITS

40CFR 63-EEE.1205 (a) (7)  
EMISSIONS LIMITS

40CFR 63-EEE.1205 (c) (1)  
DESTRUCTION AND REMOVAL EFFICIENCY STANDARD

40CFR 63-EEE.1205 (c) (2)  
DESTRUCTION AND REMOVAL EFFICIENCY STANDARD

40CFR 63-EEE.1205 (e)  
AIR EMISSION STANDARDS FOR LEAKS, TANKS, SURFACE IMPOUNDMENTS,  
CONTAINERS

40CFR 63-EEE.1206  
See 40 CFR 63-EEE.1206(a)  
40 CFR 63-EEE.1206(b) and  
40 CFR 63-EEE.1206(c)

40CFR 63-EEE.1206 (b)  
Summary of Compliance with standards (see regulation for detailed descriptions)  
(1) Applicability.  
(2) Methods for determining compliance.

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- (3) Finding of compliance.
- (4) Extension of compliance with emission standards.
- (5) Changes in design, operation, or maintenance.
- (6) Compliance with the carbon monoxide and hydrocarbon emission standards.
- (7) Compliance with the DRE standard.
- (8) Applicability of particulate matter and opacity standards during particulate matter CEMS correlation tests.
- (9) Alternative standards for existing or new hazardous waste burning lightweight aggregate kilns using MACT.
- (10) Alternative standards for existing or new hazardous waste burning cement kilns using MACT.
- (11) Calculation of hazardous waste residence time.
- (12) Documenting compliance with the standards based on performance testing.
- (13) Cement kilns and lightweight aggregate kilns that feed hazardous waste at a location other than the end where products are normally discharged and where fuels are normally fired.
- (14) Alternative particulate matter standard for incinerators with de minimis metals.

40CFR 63-EEE.1207

Summary of the performance testing requirements:

- (a) General.
- (b) Types of performance tests
- (c) Initial comprehensive performance test
- (d) Frequency of testing.
- (e) Notification of performance test and CMS performance evaluation, and approval of test plan and CMS performance evaluation plan.
- (f) Content of performance test plan.
- (g) Operating conditions during testing.
- (h) Operating conditions during subsequent testing.
- (i) Time extension for subsequent performance tests.
- (j) Notification of Compliance
- (k) Failure to submit a timely notification of compliance.
- (l) Failure of performance test
- (m) Waiver of Performance Test
- (n) Feedrate limits for nondetectable constituents.

40CFR 63-EEE.1209

63.1209 What are the monitoring requirements?

- (a) Continuous emissions monitoring systems (CEMS) and continuous opacity monitoring systems (COMS).
- (b) Other continuous monitoring systems (CMS).
- (c) Analysis of feedstreams.
- (d) Performance evaluations.



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- (e) Conduct of monitoring.
(f) Operation and maintenance of continuous monitoring systems.
(g) Alternative monitoring requirements other than continuous emissions monitoring systems (CEMS).
(h) Reduction of monitoring data.
(i) When an operating parameter is applicable to multiple standards.
(j) DRE.
(k) Dioxins and furans.
(l) Mercury
(m) Particulate matter.
n0 (n) Semivolatile metals and low volatility metals.
(o) Hydrochloric acid and chlorine gas.
(p) Maximum combustion chamber pressure.
(q) Operating under different modes of operation.

40CFR 63-EEE.1210

(a) Summary of requirements.

(1) You must submit the following notifications to the Administrator:

Table with 2 columns: Reference and Notification. Contains regulatory references and their corresponding notification requirements.

\1\You may also be required on a case-by-case basis to submit a feedstream analysis plan under Sec. 63.1209(c)(3).

(2) You must submit the following notifications to the Administrator if you request or elect to comply with alternative requirements:

Table with 2 columns: Reference and Notification, request, petition, or application. Contains regulatory references and their corresponding notification requirements.

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- a continuous emission monitoring system (CEMS) and except for requests to use a CEMS in lieu of operating parameter limits; or (2) a waiver of an operating parameter limit.
- 63.1209(a)(5), 63.8(f)..... You may request: (1) approval of alternative monitoring methods for compliance with standards that are monitored with a CEMS; and (2) approval to use a CEMS in lieu of operating parameter limits.
- 63.1204(d)(4)..... Notification that you elect to comply with the emission averaging requirements for cement kilns with in-line raw mills.
- 63.1204(e)(4)..... Notification that you elect to comply with the emission averaging requirements for preheater or preheater/precalciner kilns with dual stacks.
- 63.1206(b)(1)(ii)(A)..... Notification that you elect to document compliance with all applicable requirements and standards promulgated under authority of the Clean Air Act, including Sections 112 and 129, in lieu of the requirements of Subpart EEE of this Part when not burning hazardous waste.
- 63.1206(b)(5)(i)(C)(2)..... You may request to burn hazardous waste for more than 720 hours and for purposes other than testing or pretesting after a making a change in the design or operation that could affect compliance with emission standards and prior to submitting a revised Notification of Compliance.
- 63.1206(b)(9)(iii)(B)..... If you elect to conduct particulate matter CEMS correlation testing and wish to have federal particulate matter and opacity standards and associated operating limits waived during the testing, you must notify the Administrator by submitting the correlation test plan for review and approval.
- 63.1206(b)(10)..... Owners and operators of lightweight aggregate kilns may request approval of alternative emission standards for mercury, semivolatile metal, low volatile metal, and hydrochloric acid/chlorine gas under certain conditions.
- 63.1206(b)(11)..... Owners and operators of cement kilns may request approval of alternative emission standards for mercury, semivolatile metal, low volatile metal, and hydrochloric acid/chlorine gas under certain conditions.
- 63.1206(b)(14)..... Owners and operators of incinerators may comply with an alternative particulate matter standard of 68 mg/dscm, corrected to 7% oxygen, under a petition documenting de minimis metals levels in feedstreams.
- 63.1207(c)(2)..... You may request to base initial compliance on data in lieu of a comprehensive performance test.
- 63.1207(d)(3)..... You may request more than 60 days to complete a performance test if additional time is needed for reasons beyond your control.
- 63.1207(i)..... You may request up to a one-year time extension for conducting a performance test (other than the initial comprehensive performance test) to consolidate testing with other state or federally-required testing.
- 63.1207(j)(4)..... You may request more than 90 days to submit a Notification of Compliance after completing a performance test if additional time is needed for reasons beyond your control.
- 63.1207(l)(3)..... After failure of a performance test, you may request to burn hazardous waste for more than 720 hours and for purposes other than testing or pretesting.
- 63.1209(l)(1)..... You may request to extrapolate mercury feedrate limits.
- 63.1209(n)(2)(ii)..... You may request to extrapolate semivolatile and low volatile metal feedrate limits.
- 63.10(e)(3)(ii)..... You may request to reduce the frequency of excess emissions and CMS performance reports.



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63.10(f)..... You may request to waive recordkeeping or reporting requirements.  
63.1211(e)..... You may request to use data compression techniques to record data on a less frequent basis than required by Sec. 63.1209.

(b) Notification of compliance.

- (1) The Notification of Compliance status requirements of § 63.9(h) apply, except that:
  - (i) The notification is a Notification of Compliance, rather than compliance status;
  - (ii) The notification is required for the initial comprehensive performance test and each subsequent comprehensive and confirmatory performance test; and
  - (iii) You must postmark the notification before the close of business on the 90th day following completion of relevant compliance demonstration activity specified in this subpart rather than the 60th day as required by § 63.9(h)(2)(ii).
- (2) Upon postmark of the Notification of Compliance, the operating parameter limits identified in the Notification of Compliance, as applicable, shall be complied with, the limits identified in the Documentation of Compliance or a previous Notification of Compliance are no longer applicable.
- (3) The Notification of Compliance requirements of § 63.1207(j) also apply.

40CFR 63-EEE.1211

This regulation details the types of reports that must be submitted to the Department by the owners or operators of hazardous waste incinerators.

6NYCRR 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 (f)

This regulation defines in general terms under what circumstances changes would be allowed without a permit modification provided the permit contains sufficient operational flexibility provisions.

6NYCRR 212 .10

RACT REQUIREMENTS

6NYCRR 212 .10 (c)

RACT COMPLIANCE PLAN REQUIREMENTS

6NYCRR 212 .11 (a)

PART 202 REQUIREMENT

6NYCRR 212 .3 (b)

This rule requires existing sources (in operation on or before 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 0.15 grains per dry standard cubic foot.

6NYCRR 212 .4 (b)

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212.4(b) establishes a limit on gas and liquid particulates.

### 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 0.05 grains per dry standard cubic foot.

### 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 225-2.7

REPORTS, SAMPLING AND ANALYSIS OF WASTE FUELS

### 6NYCRR 229.3 (e) (2) (v)

This section requires the tank to be equipped with conservation vents for storage of volatile organic liquids.

### 6NYCRR 229.5 (d)

This section requires applicable facilities to maintain fuel storage records for a period of 5 years.

## Compliance Certification

Summary of monitoring activities at NORLITE CORP:

Location Facility/EU/EP/Process/ES	Type of Monitoring	Cond No.
C-RUSHS/-/000	monitoring of process or control device parameters as surrogate	47
M-ISCES/-/DRS	work practice involving specific operations	114
M-ISCES/-/FTS	intermittent emission testing	120
M-ISCES/-/FTS	work practice involving specific operations	121
M-ISCES/-/ULF	intermittent emission testing	123
M-ISCES/-/ULF	work practice involving specific operations	124
M-ISCES/-/FTS	intermittent emission testing	122
M-ISCES/-/ULF	intermittent emission testing	125
M-ISCES/-/DRS	record keeping/maintenance procedures	116
S-TANKS/-/HWT	record keeping/maintenance procedures	129
FACILITY	record keeping/maintenance procedures	40
K-ILNSG/00001	intermittent emission testing	71
K-ILNSG/00002	intermittent emission testing	98
K-ILNSG/00001	intermittent emission testing	72
K-ILNSG/00002	intermittent emission testing	99

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K-ILNSG/00001	intermittent emission testing	73
K-ILNSG/00002	intermittent emission testing	100
K-ILNSG/00001	intermittent emission testing	74
K-ILNSG/00002	intermittent emission testing	101
K-ILNSG/00001	continuous emission monitoring (cem)	75
K-ILNSG/00002	continuous emission monitoring (cem)	102
K-ILNSG/00001	continuous emission monitoring (cem)	76
K-ILNSG/00002	continuous emission monitoring (cem)	103
K-ILNSG/00001	intermittent emission testing	77
K-ILNSG/00002	intermittent emission testing	104
K-ILNSG/00001	intermittent emission testing	78
K-ILNSG/00002	intermittent emission testing	105
K-ILNSG/00001	intermittent emission testing	79
K-ILNSG/00002	intermittent emission testing	106
K-ILNSG/00001	record keeping/maintenance procedures	80
K-ILNSG/00002	record keeping/maintenance procedures	107
FACILITY	record keeping/maintenance procedures	41
FACILITY	record keeping/maintenance procedures	42
K-ILNSG	record keeping/maintenance procedures	50
K-ILNSG/00001	record keeping/maintenance procedures	83
K-ILNSG/00001	record keeping/maintenance procedures	84
K-ILNSG/00002	record keeping/maintenance procedures	110
K-ILNSG/00002	record keeping/maintenance procedures	111
FACILITY	record keeping/maintenance procedures	43
K-ILNSG	record keeping/maintenance procedures	52
K-ILNSG	record keeping/maintenance procedures	53
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K-ILNSG	record keeping/maintenance procedures	59
K-ILNSG/00001	record keeping/maintenance procedures	85
K-ILNSG/00001	record keeping/maintenance procedures	86
K-ILNSG/00002	record keeping/maintenance procedures	112
K-ILNSG/00002	record keeping/maintenance procedures	113
FACILITY	record keeping/maintenance procedures	24
FACILITY	record keeping/maintenance procedures	25
FACILITY	record keeping/maintenance procedures	26
FACILITY	record keeping/maintenance procedures	29
K-ILNSG/00001	intermittent emission testing	69
K-ILNSG/-/KNF	intermittent emission testing	61
K-ILNSG/00001	intermittent emission testing	70
K-ILNSG/00002	intermittent emission testing	97
K-ILNSG/00001	intermittent emission testing	62
K-ILNSG/00001	continuous emission monitoring (cem)	63
K-ILNSG/00001	monitoring of process or control device parameters as surrogate	64
K-ILNSG/00001	record keeping/maintenance procedures	65
K-ILNSG/00001	record keeping/maintenance procedures	66
K-ILNSG/00002	monitoring of process or control device parameters as surrogate	87
K-ILNSG/00002	record keeping/maintenance procedures	88
K-ILNSG/00002	intermittent emission testing	89
K-ILNSG/00002	record keeping/maintenance procedures	90
K-ILNSG/00002	continuous emission monitoring (cem)	91
K-ILNSG/00002	record keeping/maintenance procedures	92
K-ILNSG/00001	record keeping/maintenance procedures	67
K-ILNSG/00001	monitoring of process or control device parameters as surrogate	68
K-ILNSG/00001	record keeping/maintenance procedures	135
K-ILNSG/00002	record keeping/maintenance procedures	93
K-ILNSG/00002	record keeping/maintenance procedures	94
K-ILNSG/00002	record keeping/maintenance procedures	95
K-ILNSG/00002	record keeping/maintenance procedures	96
K-ILNSG/00002	record keeping/maintenance procedures	136
K-ILNSG/-/KCC	intermittent emission testing	60
M-ISCES/-/FSH	intermittent emission testing	119
FACILITY	monitoring of process or control device	32

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FACILITY	parameters as surrogate	
	work practice involving specific	35
	operations	
FACILITY	record keeping/maintenance procedures	36
S-TANKS/-/HFT	record keeping/maintenance procedures	126
S-TANKS/-/HFT	record keeping/maintenance procedures	127

**Basis for Monitoring**

Facility

Applicable Federal Requirement: 6NYCRR 212.6(a)

No person shall cause or allow emissions having an average opacity during any six minutes of 20 percent or greater from any process emission source, except only the emission of combined water.

Emission Unit K-ILNSG

Applicable Federal Requirement: 6NYCRR 212.4(c)

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Emission Point 00001

Applicable Federal Requirement: 6NYCRR 212.10(c)

This emission point shall not discharge emissions that contain oxides of Nitrogen in excess of 61 pounds per hour.

Applicable Federal Requirement: 6NYCRR 212.3(b)

This emission point shall control emissions that contain Hydrogen Chloride in accordance with Table 212.9(b) (75%). This limit shall be met by limiting and monitoring the total feed of chlorine to the kiln(including the contribution from shale) and the DRE in the most recent stack test to confirm compliance, once during the permit and at the discretion of the Department.

Applicable Federal Requirement: 6NYCRR 212.3(b)

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This emission point shall not discharge particulate matter in excess of 0.08 grains per dry standard cubic foot, corrected to 7% oxygen in the stack gas in accordance with the formula specified in 6NYCRR Part 374-1.8(f)

Applicable Federal Requirement: 6NYCRR 212.3(b)

SO<sub>2</sub> stack emissions from kiln # 1 shall not exceed 30 pounds per hour. The facility shall install a Continuous Emissions Monitor for Sulfur Dioxide emissions within 180 days of the issue date of this permit.

Applicable Federal Requirement: 6NYCRR 212.3(b)

The total chlorine fed to the kiln (including the contribution from the shale) shall not exceed 73 pounds per hour.

Applicable Federal Requirement: 6NYCRR 212.3(b)

This emission point shall control emissions that contain Chlorine in accordance with Table 212.9(b) (75%). This limit shall be met by limiting and monitoring the total feed of chlorine to the kiln (including the contribution from shale) and the DRE in the most recent stack test to confirm compliance, once during the permit and at the discretion of the Department.

Applicable Federal Requirement: 6NYCRR 212.4(b)

The fugitive emissions from the combustion zone and the back end of this kiln shall be controlled by continuously maintaining a negative kiln pressure less than - 0.05 inches and maintaining a baghouse pressure drop below 10.0 inches.

Applicable Federal Requirement: 6NYCRR 212.4(b)

No waste or combination of waste and fuel, as fed to the kilns, shall exceed the design thermal capacity of 62 MBTU/ hr.

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Applicable Federal Requirement: 6NYCRR 212.10

This emission point shall not discharge emissions that contain oxides of Nitrogen in excess of 61 pounds per hour.

Applicable Federal Requirement: 6NYCRR 212.10(c)

This emission point shall not discharge emissions that contain oxides of Nitrogen in excess of 61 pounds per hour.

Applicable Federal Requirement: 40CFR 63.1205(a)(1), Subpart EEE

**EMISSIONS LIMITS FOR DIOXINS AND FURANS: KILN 1**  
Emission point 00001 shall not discharge or cause combustion gases to be emitted into the atmosphere that contain dioxin and furan D/F emissions in excess of 0.20 ng TEQ/dscm corrected to 7 percent oxygen. The combustion gas temperature at the exit of the last combustion chamber (or exit of any waste heat recovery system) shall be rapidly quenched to 400 degrees Fahrenheit or lower. Compliance is based on the average of the test run average temperatures. Compliance testing shall meet the requirements and schedules of 40 CFR Part 63.1205, 1207, 1208 and 1209.

Applicable Federal Requirement: 40CFR 63.1205(a)(2), Subpart EEE

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Mercury in excess of 47 micrograms per dry standard cubic meter corrected to 7 percent oxygen.

Applicable Federal Requirement: 40CFR 63.1205(a)(3), Subpart EEE

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Lead and Cadmium in excess of 250 micrograms per dry standard cubic meter, combined emissions, corrected to 7 percent oxygen.

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Applicable Federal Requirement: 40CFR 63.1205(a)(4), Subpart EEE

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain arsenic, beryllium, and chromium in excess of 110 micrograms per dry standard cubic meter, combined emissions, corrected to 7 percent oxygen. Compliance Testing shall meet the requirements and scheduling of 40CFR Part 1205, 1207, 1208 and 1209.

Applicable Federal Requirement: 40CFR 63.1205(a)(5)(i), Subpart EEE

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Carbon Monoxide in excess of 100 ppm by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen

Compliance Testing shall meet the requirements and scheduling of 40CFR Part 1205, 1207, 1208 and 1209.

Applicable Federal Requirement: 40CFR 63.1205(a)(5)(ii), Subpart EEE

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Hydrocarbons in excess of 20 ppm by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen, and reported as propane, at any time during the destruction and removal efficiency (DRE) test runs or their equivalent as provided by 40 CFR Part 63.1206(b)(7).. The CO emission level shall be less than 100ppm during testing.

Applicable Federal Requirement: 40CFR 63.1205(a)(6), Subpart EEE  
This emission point shall not discharge or cause combustion gases to

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be emitted into the atmosphere that contain Hydrochloric Acid and Chlorine Gas in excess of 230 ppm by volume, combined emissions, expressed as hydrochloric acid equivalents, dry basis, corrected to 7 percent oxygen.

Applicable Federal Requirement: 40CFR 63.1205(a)(7), Subpart EEE  
This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contains particulate matter in excess of 57 mg per dry standard cubic meter, corrected to 7 percent oxygen. Compliance Testing shall meet the requirements and scheduling of 40CFR Part 1205, 1207, 1208 and 1209.

Applicable Federal Requirement: 40CFR 63.1205(c)(1), NESHAP Subpart EEE  
The stack emission testing must be performed to determine compliance with the Destruction and Removal Efficiency (DRE) standard. The DRE for each Principal Organic Hazardous Constituent (POHC) should not be less than 99.99%. The DRE must be calculated as defined in 40CFR 63.1203(c) and 40 CFR63.1205(c).

Emission Unit: K-ILNSG Emission Point: 00002

This emission point shall not discharge particulate matter in excess of 0.08 grains per dry standard cubic foot, corrected to 7% oxygen in the stack gas in accordance with the formula specified in 6NYCRR Part 374-1.8(f)

SO2 stack emissions from kiln # 2 shall not exceed 30 pounds per hour. The facility shall install a Continuous Emissions Monitor for Sulfur Dioxide emissions with in 180 days of the issue date of this permit.

Once the continuous emissions monitor is installed and certified, the kiln fuel must be switched from its' current fuel supply to an alternate fuel supply which has low sulfur content. If no such fuel is available, the kiln must switch to natural gas until the sulfur dioxide emission drop below 30 pounds per hour and a suitable fuel with a lower sulfur dioxide content can be readied.

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Applicable Federal Requirement: 6NYCRR 212.3(b)

The total chlorine fed to the kiln (including the contribution from the shale) shall not exceed 73 pounds per hour.

Applicable Federal Requirement: 6NYCRR 212.4(b)

No waste or combination of waste and fuel, as fed to the kilns, shall exceed the design thermal capacity of 62 MBTU/ hr.

Applicable Federal Requirement: 6NYCRR 212.4(b)

This facility shall control the emissions of toxic metals from this emission point by limiting the total feed rate of each metal into the kiln.

Applicable Federal Requirement: 6NYCRR 212.4(b)

b This emission point shall not discharge emissions that contain Chlorine in excess of 0.044 pounds per hour (uncorrected for ammonium chloride) This limit shall be met by limiting the total feed of chlorine to the kiln.

Applicable Federal Requirement: 6NYCRR 212.4(b)

No waste or combination of waste and fuel, as fed to the kilns, shall exceed the design thermal capacity of 62 MBTU/ hr.

Applicable Federal Requirement: 6NYCRR 212.10(c)

This emission point shall not discharge emissions that contain oxides of Nitrogen in excess of 61 pounds per hour.

Applicable Federal Requirement: 40CFR 63.1205(a)(1), Subpart EEE

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**EMISSIONS LIMITS FOR DIOXINS AND FURANS: KILN 2**

Emission point 00002 shall not discharge or cause combustion gases to be emitted into the atmosphere that contain dioxin and furan D/F emissions in excess of 0.20 ng TEQ/dscm corrected to 7 percent oxygen.

The combustion gas temperature at the exit of the last combustion chamber (or exit of any waste heat recovery system) shall be rapidly quenched to 400 degrees Farenheight or lower. Compliance is based on the average of the test run average temperatures. Compliance testing shall meet the requirements and schedules of 40 CFR Part 63.1205, 1207, 1208 and 1209.

Applicable Federal Requirement: 40CFR 63.1205(a)(2), Subpart EEE

**EMISSION LIMITS FOR MERCURY: KILN 2**

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Mercury in excess of 47 micrograms per dry standard cubic meter corrected to 7 percent oxygen.

Compliance testing shall meet the requirements and schedules of 40 CFR Part 63.1205, 1207, 1208 and 1209.

Applicable Federal Requirement: 40CFR 63.1205(a)(3), Subpart EEE

**EMISSION LIMITS FOR LEAD AND CADMIUM: Kiln 2**

CAS No: 007439-92-1 LEAD  
CAS No: 007440-43-9 CADMIUM

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Lead and Cadmium in excess of 250 micrograms per dry standard cubic meter, combined emissions, corrected to 7 percent oxygen.

Compliance testing shall meet the requirements and schedules of 40 CFR Part 63.1205, 1207, 1208 and 1209.

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Applicable Federal Requirement: 40CFR 63.1205(a)(4), Subpart EEE

EMISSION LIMITS FOR ARSENIC,  
BERYLLIUM, AND CHROMIUM: KILN 2

ARSENIC CAS No. 007440-38-2  
BERYLLIUM CAS No.07440-41-7  
CHROMIUM CAS No. 07440-47-3

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain arsenic, beryllium, and chromium in excess of 110 micrograms per dry standard cubic meter, combined emissions, corrected to 7 percent oxygen. . Compliance Testing shall meet the requirements and scheduling of 40CFR Part 1205, 1207, 1208 and 1209.

Applicable Federal Requirement: 40CFR 63.1205(a)(5)(i), Subpart EEE

EMISSION LIMIT FOR CARBON MONOXIDE: KILN 1

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Carbon Monoxide in excess of 100 ppm by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen

Compliance Testing shall meet the requirements and scheduling of 40CFR Part 1205, 1207, 1208 and 1209.

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Applicable Federal Requirement: 40CFR 63.1205(a)(5)(ii), Subpart EEE

**EMISSION LIMIT FOR HYDROCARBONS: KILN 2**

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Hydrocarbons in excess of 20 ppm by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen, and reported as propane, at any time during the destruction and removal efficiency (DRE) test runs or their equivalent as provided by 40 CFR Part 63.1206(b)(7). The CO emission level shall be less than 100ppm during testing.

Applicable Federal Requirement: 40CFR 63.1205(a)(6), Subpart EEE

**EMISSION LIMIT FOR HCL and CL2**

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contain Hydrochloric Acid and Chlorine Gas in excess of 230 ppm by volume, combined emissions, expressed as hydrochloric acid equivalents, dry basis, corrected to 7 percent oxygen.

Applicable Federal Requirement: 40CFR 63.1205(a)(7), Subpart EEE

**EMISSION LIMITS FOR PARTICULATES: KILN 2**

This emission point shall not discharge or cause combustion gases to be emitted into the atmosphere that contains particulate matter in excess of 57 mg per dry standard cubic meter, corrected to 7 percent oxygen. Compliance Testing shall meet the requirements and scheduling of 40CFR Part 1205, 1207, 1208 and 1209.

Emission Unit: M-ISCES  
Process: FSH

Applicable Federal Requirement: 6NYCRR 212.4(c)

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Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Emission Unit: M-ISCES

Process: FTS

Applicable Federal Requirement: 40CFR 63.683(b)(2)(ii), Subpart DD

For each process vent that is part of an affected source, the owner or operator shall control the HAP emitted from the process vent as follows:

Determine that the average volatile organic hazardous air pollutant (VOHAP) concentration of each off-site material managed in the unit on which the process vent is used remains at less than 500 ppmw based on the HAP content of the off-site material stream at the point-of-delivery. The owner or operator shall perform an initial determination of the average VOHAP concentration of each off-site material stream using the procedures specified in 40 CFR 63.694(b) before the first time any portion of the off-site material is placed in the unit. Thereafter, the owner or operator shall review and update, as necessary, this determination every 12 months following the date of the initial determination for the off-site material stream.

Emission Unit: M-ISCES

Process: ULF

Applicable Federal Requirement: 40CFR 63.683(b)(2)(ii), Subpart DD

For each process vent that is part of an affected source, the owner or operator shall control the HAP emitted from the process vent as follows:

Determine that the average volatile organic hazardous air pollutant (VOHAP) concentration of each off-site material managed in the unit on which the process vent is used remains at less than 500 ppmw based on the HAP content of the off-site material stream at the point-of-delivery. The owner or operator shall perform an initial determination of the average VOHAP concentration of each off-site material stream using the procedures specified in 40 CFR 63.694(b)

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