**New York State Department of Environmental Conservation**

# Permit Review Report

**Permit ID: 5-4115-00002/00129**
**Renewal Number: 2**
**Modification Number: 1 01/21/2011**

**Facility Identification Data**
Name: BALL METAL BEVERAGE CONTAINER CORP
Address: 11 ADAMS RD|CADY HILL INDUSTRIAL PARK
SARATOGA SPRINGS, NY 12866

**Owner/Firm**
Name: BALL CORPORATION
Address: 9300 WEST 108TH CIRCLE
BROOMFIELD, CO 80021-3682, USA
Owner Classification: Corporation/Partnership

**Permit Contacts**
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## Permit Description

### Introduction

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

**Summary Description of Proposed Project**
This modification is to correct the omission of their PSD limit from the last renewal.

**Attainment Status**
BALL METAL BEVERAGE CONTAINER CORP is located in the town of SARATOGA SPRINGS in

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

| Criteria Pollutant | Attainment Status |
|---|---|
| Particulate Matter (PM) | ATTAINMENT |
| Particulate Matter< 10µ in diameter (PM10) | ATTAINMENT |
| Sulfur Dioxide (SO2) | ATTAINMENT |
| Ozone* | 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:**
The facility is a four-line can plant that forms, cleans, decorates and coats 2-piecs aluminum cans.

**Permit Structure and Description of Operations**
The Title V permit for BALL METAL BEVERAGE CONTAINER CORP
is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:
combustion - devices which burn fuel to generate heat, steam or power
incinerator - devices which burn waste material for disposal
control - emission control devices
process - any device or contrivance which may emit air contaminants
that is not included in the above categories.

BALL METAL BEVERAGE CONTAINER CORP is defined by the following emission unit(s):

Emission unit U10002 - This emission unit consists of the sludge dryer exhaust. The emission point is SDEO1.

Emission unit U10002 is associated with the following emission points (EP):
SDEO1
Process: 104 is located at Building BDG1 - Sludge dryer exhaust.

Emission unit U10001 - This emission unit consists of:

(1) the basecoat/clearcoat application and curing line,

(2) printing ink, bottom coat, and overvarnish. Application and curing lines 1, 2, 3, 4 and incinerator by-pass for lines 1, 2, 3 & 4,

(3) 3 internal coat ovens incinerator by-pass (4 lines),

(4) Internal coat overspray baghouse, and

(5) the incinerator lines for 1, 2, 3, 4 internal coat lines, printing ink/overvarnish/bottom coat line 1, 2, 3, 4. The emission points associated with this unit are BCOE1, ODOE1, ODOE2, ODOE3, DECO4, OICE1, ICOE1, ICOE3, ICOE4 & INCIN. The line 3 base coater oven has remained in place, is not operational and is not a source as it sits. Any proposed use of this equipment will require notificaiton to DEC and proper permitting as may be required.

Emission unit U10001 is associated with the following emission points (EP):
BCOE1, DECO4, ICOE1, ICOE3, ICOE4, INCIN, ODEO1, ODOE2, ODOE3, OICE1
Process: 101 is located at Building BDG1 - White basecoat is applied to the can exterior when needed to provide a base color for further printing. The cans are then conveyed to the basecoater oven to dry the white basecoat and bottom rim coat. This process is comprised of basecoat and bottom rim coat application and curing line 1. This process vents to emission point BCOE1. Basecoater presently installed on Line 1 can produce basecoated cans from any of the existing four lines with final decoration completed on the respective lines.

Process: 102 is located at Building BDG1 - Labels are printed on the can exteriors, covered with an overvarnish and bottom rim coat, and then cured. This process is comprised of printing inks, overvarnish, and bottom rim coat application including bottom rim coat on basecoater and curing lines 1, 2, 3, 4 application & curing, incinerator and incinerator bypass. The emission points associated with this process are ODEO1, ODOE2, ODOE3, DECO4, and INCIN.

Process: 103 is located at Building BDG1 - A thin film of lacquer is applied to inside of the can and a dot matrix is applied to the outside bottom dome. This process is comprised of the four internal coat and can transfer emission lines, the incinerator by-pass lines, and incinerator lines. Lines 1 and 2 each have 6 spray machines which comprise sources ICOS1 (12 spray systems total) for the application of internal spray lacquer and 6 each for the application of a dot matrix spray can identification system source DOT01 (12 dot matrix systems total). Lines 3 and 4 each have 7 spray machines that comprise sources ICOS3 and ICOS4, respectively (14 spray ststems total) and 7 each for the application of a dot matrix spray can identification system source DOT01 (14 dot matrix systems total). Mist emissions from these four lines are not cured during application (transfer emissions) and vented through a baghouse at emission point OICE1. Emission points for this process are the four by-pass lines ICOE1, ICOE3 & ICOE4, incinerator line INCIN, and the baghouse emission point OICE1.

**Title V/Major Source Status**
BALL METAL BEVERAGE CONTAINER CORP is subject to Title V requirements. This determination is based on the following information:
This facility is only major for emissions of VOC with its potential to emit limited to < or = 386 tons per year.

**Program Applicability**
The following chart summarizes the applicability of BALL METAL BEVERAGE CONTAINER CORP with regards to the principal air pollution
regulatory programs:

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

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

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

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

MACT Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are

to
be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

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

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

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

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

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

**Compliance Status**
Facility is in compliance with all requirements.

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

| SIC Code | Description |
|---|---|
| 3411 | METAL CANS |

**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 |
|---|---|
| 4-02-004-01 | SURFACE COATING OPERATIONS<br>SURFACE COATING APPLICATION - GENERAL<br>Lacquer |
| 4-02-008-01 | SURFACE COATING OPERATIONS<br>COATING OVEN - GENERAL<br>General |
| 4-02-888-21 | SURFACE COATING OPERATIONS<br>SURFACE COATING OPERATIONS - FUGITIVE EMISSIONS<br>SURFACE COATING BASECOAT |
| 5-02-005-19 | SOLID WASTE DISPOSAL - COMMERCIAL/INSTITUTIONAL<br>SOLID WASTE DISPOSAL: COMMERCIAL - INCINERATION: SPECIAL PURPOSE<br>SEWAGE SLUDGE INCINERATOR: ROTARY KILN |

**Facility Emissions Summary**

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

| Cas No. | Contaminant Name | PTE lbs/yr | PTE Range |
|---|---|---|---|
| 000630-08-0 | CARBON MONOXIDE | | >= 10 tpy but < 25 tpy |
| 000112-34-5 | ETHANOL, 2-(2-BUTOXYETHOXY)- | | > 0 but < 10 tpy |
| 000112-59-4 | ETHANOL, 2-[2-(HEXYLOXY)ETHOXY] | | > 0 but < 10 tpy |
| 000050-00-0 | FORMALDEHYDE | | > 0 but < 10 tpy |
| 0NY100-00-0 | HAP | | >= 10 tpy but < 25 tpy |
| 007439-92-1 | LEAD | | > 0 but < 10 tpy |
| 0NY210-00-0 | OXIDES OF NITROGEN | | >= 10 tpy but < 25 tpy |
| 0NY075-00-0 | PARTICULATES | | > 0 but < 2.5 tpy |

| | | | |
|---|---|---|---|
| 0NY075-00-5 | PM-10 | | > 0 but < 2.5 tpy |
| 007446-09-5 | SULFUR DIOXIDE | | > 0 but < 2.5 tpy |
| 0NY998-00-0 | VOC | 772000 | |

## NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.
(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

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

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

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

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

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

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

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

The permittee must comply with all conditions of the Title V facility permit. Any permit

non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

**Item H: Property Rights - 6 NYCRR 201-6.5(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.

**Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)**
If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)**
All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 2 01-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

**Item L: Permit Exclusion - ECL 19-0305**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

**Item M: Federally Enforceable Requirements - 40 CFR 70.6(b)**

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically

designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

## NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

**Regulatory Analysis**

| Location Facility/EU/EP/Process/ES | Regulation | Condition | Short Description |
|---|---|---|---|
| FACILITY | ECL 19-0301 | 48 | Powers and Duties of the Department with respect to air pollution control |
| FACILITY | 40CFR 52-A.21(j) | 1 -5 | Best Available Control Technology |
| U-10001/-/101 | 40CFR 60-WW.492(a) | 41 | Beverage Can Surface Coating - standards for VOC |
| U-10001/-/102 | 40CFR 60-WW.492(b) | 42 | Beverage Can Surface Coating - standards for VOC |
| U-10001/-/103 | 40CFR 60-WW.492(c) | 43 | Beverage Can Surface Coating - standards for VOC |
| U-10001 | 40CFR 64 | 40 | COMPLIANCE ASSURANCE MONITORING |
| FACILITY | 40CFR 68 | 21 | Chemical accident prevention provisions |
| FACILITY | 40CFR 82-F | 22 | Protection of Stratospheric Ozone - recycling and emissions reduction |
| FACILITY | 6NYCRR 200.6 | 1 | Acceptable ambient air quality. |
| FACILITY | 6NYCRR 200.7 | 10 | Maintenance of equipment. |
| FACILITY | 6NYCRR 201-1.4 | 49 | Unavoidable |

| | | | |
|---|---|---|---|
| | | | noncompliance and violations |
| FACILITY | 6NYCRR 201-1.7 | 11 | Recycling and Salvage |
| FACILITY | 6NYCRR 201-1.8 | 12 | Prohibition of reintroduction of collected contaminants to the air |
| FACILITY | 6NYCRR 201-3.2(a) | 13 | Exempt Activities - Proof of eligibility |
| FACILITY | 6NYCRR 201-3.3(a) | 14 | Trivial Activities - proof of eligibility |
| FACILITY | 6NYCRR 201-6 | 23, 33, 34 | Title V Permits and the Associated Permit Conditions |
| FACILITY | 6NYCRR 201-6.5(a)(4) | 15 | General conditions |
| FACILITY | 6NYCRR 201-6.5(a)(7) | 1 -1 | General conditions Fees |
| FACILITY | 6NYCRR 201-6.5(a)(8) | 16 | General conditions |
| FACILITY | 6NYCRR 201-6.5(c) | 3 | Permit conditions for Recordkeeping and Reporting of Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5(c)(2) | 4 | Permit conditions for Recordkeeping and Reporting of Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5(c)(3)(ii | 5 | Permit conditions for Recordkeeping and Reporting of Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5(d)(5) | 17 | Compliance schedules |
| FACILITY | 6NYCRR 201-6.5(e) | 6 | Compliance Certification |
| FACILITY | 6NYCRR 201-6.5(f)(6) | 18 | Off Permit Changes |
| FACILITY | 6NYCRR 201-6.5(g) | 24 | Permit shield |
| FACILITY | 6NYCRR 201-7 | 1 -4, 1 -5 | Federally Enforceable Emissions Caps |
| FACILITY | 6NYCRR 202-1.1 | 1 -3 | Required emissions tests. |
| FACILITY | 6NYCRR 202-2.1 | 7 | Emission Statements - Applicability |
| FACILITY | 6NYCRR 202-2.5 | 8 | Emission Statements - record keeping requirements. |
| FACILITY | 6NYCRR 211.2 | 50 | General Prohibitions - air pollution prohibited. |
| FACILITY | 6NYCRR 211.3 | 20 | General Prohibitions - visible emissions limited |
| U-10002 | 6NYCRR 212.4(a) | 45 | General Process Emission Sources - emissions from new sources and/or modifications |
| U-10002 | 6NYCRR 212.4(c) | 46 | General Process Emission Sources - emissions from new processes and/or modifications |
| U-10002 | 6NYCRR 212.6(a) | 47 | General Process Emission Sources - opacity of emissions |

| | | | |
|---|---|---|---|
| | | | limited |
| FACILITY | 6NYCRR 215 | 9 | Open Fires |
| FACILITY | 6NYCRR 215.2 | 1 -2 | Open Fires - Prohibitions |
| U-10001 | 6NYCRR 228-1.10 | 39 | Handling, storage and disposal of VOCs |
| FACILITY | 6NYCRR 228-1.2(b)(35) | 25 | Formula for Maximum permitted VOC content |
| U-10001 | 6NYCRR 228-1.4 | 35 | Opacity |
| U-10001/INCIN | 6NYCRR 228-1.4 | 44 | Opacity |
| FACILITY | 6NYCRR 228-1.5(a) | 26 | VOC recordkeeping by the facility |
| FACILITY | 6NYCRR 228-1.5(b) | 27 | Use of Methods 311 or 24. |
| FACILITY | 6NYCRR 228-1.5(d) | 28 | Department Access to Obtain Samples |
| U-10001 | 6NYCRR 228-1.5(f) | 36 | Testing and monitoring; Methods 18, 25 and 25A |
| FACILITY | 6NYCRR 228-1.5(j) | 29 | Record of noncompliance |
| FACILITY | 6NYCRR 228-1.5(k) | 30 | Records maintained for five years |
| FACILITY | 6NYCRR 228-1.6 | 31 | Prohibition of sale |
| U-10001 | 6NYCRR 228-1.7 | 37, 38 | Table 1 |
| FACILITY | 6NYCRR 228-1.9 | 32 | Products regulated |

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

ECL 19-0301
This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6
Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7
Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4
This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7
Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8
Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR 201-3.3 (a)
The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR Subpart 201-6
This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.5 (a) (4)
This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.5 (a) (7)
This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.5 (a) (8)
This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.5 (c)
This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.5 (c) (2)
This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according

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

6 NYCRR 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.

6 NYCRR 201-6.5 (d) (5)
This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 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.

6 NYCRR 201-6.5 (f) (6)
This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 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.

6 NYCRR 202-1.1
This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1
Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENDar year.

6 NYCRR 202-2.5
This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2
This regulation prohibits any emissions of air contaminants to the outdoor atmosphere which may be detrimental to human, plant or animal life or to property, or which unreasonably interferes with the comfortable enjoyment of life or property regardless of the existence of any specific air quality standard or emission limit.

6 NYCRR 211.3
This condition requires that the opacity (i.e., the degree to which emissions other than water reduce the transmission of light) of the emissions from any air contamination source be less than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent.

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

6 NYCRR 215.2
Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

40 CFR Part 68
This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F
Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act AmENDments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

**Facility Specific Requirements**
In addition to Title V, BALL METAL BEVERAGE CONTAINER CORP has been determined to be subject to the following regulations:

40 CFR 52.21 (j)
BACT determinations are made on a case-by-case basis and can be no less stringent than any requirement that exists in the current State Implementation Plan (SIP) or 40 CFR 60 and 61. Emission and operational limitations required from a BACT determination will have to be entered into the special permit conditions, separately by the permit reviewer.

40 CFR 60.492 (a)
Volatile Organic Compound (VOC) emissions to the atmosphere from the process of exterior base coating of two piece beverage cans (using other than clear base coat) may not exceed 0.29 kilograms of VOC per liter of coating solids, averaged over each calendar month.

40 CFR 60.492 (b)
Volatile Organic Compound (VOC) emissions to the atmosphere from the process of exterior base coating of two piece beverage cans using clear base coat may not exceed 0.46 kilograms of VOC per liter of coating solids, averaged over each calendar month.

40 CFR 60.492 (c)
Volatile Organic Compound (VOC) emissions to the atmosphere from the process of inside spray coating of two piece beverage cans may not exceed 0.89 kilograms of VOC per liter of coating solids, averaged over each calendar month.

40 CFR Part 64
The federal Compliance Assurance Monitoring (CAM) rule, 40 CFR Part 64, requires monitoring of control device, capture system, and/or process parameters to provide a reasonable assurance of compliance with emission limitations or standards. It applies to emission units that use a control device to comply with certain standards and limitations and that have potential pre-control device emissions equal to or greater than a major source threshold.

Acid Rain program requirements; stratospheric ozone protection requirements; post-1990 New Source Performance Standards, Emission Guidelines, and National Emission Standards for Hazardous Air Pollutants; and some other limitations are exempt from CAM. However, many of the exempt requirements are subject to less stringent periodic monitoring under 40 CFR Part 70 and 6NYCRR Subpart 201-6.

6 NYCRR 212.4 (a)
This rule requires compliance with the degree of control specified in Tables 2, 3 and 4 for new (after July 1, 1973) process emission sources.

6 NYCRR 212.4 (c)
This rule requires existing sources (in operation after July 1, 1973) of solid particulates with environmental rating of B or C which are not subject to Table 5 "Processes for which Permissible Emission Rate is Based on Process Weight, to be limited to an particulate emission rate not to exceed 0.05 grains per dry standard cubic foot.

6 NYCRR 212.6 (a)
This rule specifies an opacity limitation of less than 20% for any six consecutive minute period for all process emission sources.

6 NYCRR 228-1.10
This citation specifies the procedures and protocols for the handling, storage and disposal of volatile organic compounds.

6 NYCRR 228-1.2 (b) (35)
This citation specifies the formula used to calculate the maximum permitted pounds of volatile organic compound per gallon of coating specified in tables 1 and 2 of 6 NYCRR Part 228.

6 NYCRR 228-1.4
This citation prohibits any person from emitting (or to allow emissions) to the outdoor atmosphere having an average opacity of 20 percent or greater for any consecutive six-minute period from any emission source subject to this Part.

6 NYCRR 228-1.5 (a)
This citation requires the owner or operator of any emission source subject to 6 NYCRR Part 228 to maintain and, upon request, provide the Department with a certification from the coating supplier/manufacturer which verifies the parameters used to determine the actual volatile organic compound (VOC) content of each as applied coating. In addition it requires the purchase, usage and/or production records of the coating material, including solvents and any additional information required to determine compliance with Part 228 , to be maintained in a format acceptable to the Department; and upon request, submitted to the Department.

6 NYCRR 228-1.5 (b)
This citation requires the owner and operator of any emission source subject to Part 228 to, upon request by the Department, use Method 311 or Method 24 as presented in Appendices A of both 40 CFR Parts 63 and 60, to measure the volatile content, water content, density, volume of solids and weight of solids in order to determine the actual VOC content of an applied coating during a compliance demonstration.

6 NYCRR 228-1.5 (d)
This citation allows representatives of the Department to obtain coating samples during reasonable business hours, for the purpose of determining compliance.

6 NYCRR 228-1.5 (f)
This requirement specifies the need for surface coating facilities to comply with notification requirements, protocol requirements and specified test proceedures.

6 NYCRR 228-1.5 (j)
This requires any information or record showing noncompliance with the requirements of Part 228 to be reported to Department within 30 days of generation of the information or record..

6 NYCRR 228-1.5 (k)
This requires all records required by this regulation to be maintained at the facility for a period of five years

6 NYCRR 228-1.6
This prohibits the selling, specifying, or requiring for use, coatings at a facility with a regulated coating line if such use is prohibited by any of the provisions of Part 228. The prohibition applies to all written or oral contracts under the terms of which any coating is to be used at an affected facility.

6 NYCRR 228-1.7
Table 1 lists the processes and a description of products that are regulated by Part 228 and the maximum permitted pounds of volatile organic compounds per gallon of coating at application.

6 NYCRR 228-1.9
This citation allows the Department to determine, based on inspections or the process, emission source, and product being coated, the maximum permitted pounds of VOC per gallon of coating at application, even if it is not specifically identified in Tables 1 or 2 of Part 228..

6 NYCRR Subpart 201-7
This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is

**Non Applicability Analysis**
**List of non-applicable rules and regulations:**

| Location Facility/EU/EP/Process/ES | Regulation | Short Description |
|---|---|---|
| FACILITY | 40 CFR Part 63, Subpart KKKK | Metal can Surface Coating (PART 63 NESHAPS) |

Reason: Ball Metal is not major for HAPs

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.5(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

**Compliance Certification**
**Summary of monitoring activities at BALL METAL BEVERAGE CONTAINER CORP:**

| Location Facility/EU/EP/Process/ES | Cond No. | Type of Monitoring |
|---|---|---|
| U-10001/-/101 | 41 | work practice involving specific operations |
| U-10001/-/102 | 42 | work practice involving specific operations |
| U-10001/-/103 | 43 | work practice involving specific operations |
| U-10001 | 40 | record keeping/maintenance procedures |

| | | |
|---|---|---|
| FACILITY | 5 | record keeping/maintenance procedures |
| FACILITY | 6 | record keeping/maintenance procedures |
| FACILITY | 1-5 | work practice involving specific operations |
| FACILITY | 7 | record keeping/maintenance procedures |
| U-10002 | 46 | monitoring of process or control device parameters as surrogate |
| U-10002 | 47 | record keeping/maintenance procedures |
| U-10001 | 39 | record keeping/maintenance procedures |
| FACILITY | 25 | record keeping/maintenance procedures |
| U-10001 | 35 | intermittent emission testing |
| U-10001/INCIN | 44 | record keeping/maintenance procedures |
| FACILITY | 26 | record keeping/maintenance procedures |
| U-10001 | 36 | record keeping/maintenance procedures |
| FACILITY | 29 | record keeping/maintenance procedures |
| FACILITY | 30 | record keeping/maintenance procedures |
| U-10001 | 37 | work practice involving specific operations |
| U-10001 | 38 | work practice involving specific operations |

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**Basis for Monitoring**
Condition for 201-7 which caps the facility from CFR 52.21(j), Subpart A

CAS No: 0NY998-00-0 VOC
Capping: Yes

Maximum annual VOC emissions are calculated based upon VOCs as applied, when the incinerator is down. Compliance during this period is assured via compliance with State and Federally applicable VOC in coating requirements which Ball Metal meets at all times.

VOCs during periods of incinerator operation are based upon the overall destruction efficiency of 93.2% (95.5% capture and 97.6% control) at 1500 deg. F as demonstrated in the testing done June 30, 2004. The incinerator temperature is set at 1550 in order to assure meeting the 1500 deg proposed limit.