



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

Permit ID: 6-3013-00065/00016

Renewal Number: 2

03/14/2011

Facility Identification Data

Name: VARFLEX CORPORATION

Address: 512 W COURT ST

ROME, NY 13440

Owner/Firm

Name: VARFLEX CORP

Address: 512 W COURT ST

ROME, NY 13440-4010, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: PATRICK M CLEAREY

Address: NYSDEC - REG 6

207 GENESEE ST

UTICA, NY 13501

Phone:3157932560

Division of Air Resources:

Name: CHRISTOPHER J SEDLACK

Address: NYSDEC

207 GENESEE ST

UTICA, NY 13501

Phone:3157932554

Air Permitting Contact:

Name: BRIAN D PERRY

Address: VARFLEX

512 W COURT ST

ROME, NY 13440

Phone:3153364400

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 is a routine Title V renewal, however, Part 228 and also 40 CFR 63-Subpart OOOO have finally been properly brought into the permit. Notably, the facility has recently

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installed control (an RTO) on their coating operation.

Attainment Status

VARFLEX CORPORATION is located in the town of ROME in the county of ONEIDA. 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*	TRANSPORT REGION (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:

Varflex is a manufacturer of electrical insulating sleeving for the electronics industry. This facility is a surface coater of web-fabric fiberglass sleeving. Facility is subject to 40 CFR 63-Subpart OOOO and now operates a control device (RTO) to comply with 6 NYCRR 228. Under current Varflex strategy (election of Subpart OOOO Option), Varflex does not require the RTO for Subpart OOOO compliance, but if Varflex were to elect a different Subpart OOOO Option, then the RTO might be required for Subpart OOOO compliance.

Permit Structure and Description of Operations

The Title V permit for VARFLEX CORPORATION 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.

VARFLEX CORPORATION is defined by the following emission unit(s):

Emission unit 1COAT1 - The operations of the North Tower Room are the essence of emission unit "1COAT1". An RTO controls these VOC and HAP emissions and 100% capture has been verified by RM204. It is expected that, via Compliance Option #2, that Subpart OOOO will not require control (using a 12-month rolling total, HAP emissions will be less than 0.12 kg HAP/kg of solids applied). Option #3 has been entered into this permit only as a fall-back if somehow Option #2 could not be met. Therefore, the RTO is currently required only because some of the North Tower Room coatings are not-compliant with 6 NYCRR 228-1.7 (>2.9 lbs/gal minus water and excluded VOC).

The NYSDEC Division of Air (DAR) has required that Varflex develop two separate SSM plans that are both for the operation of the RTO. The Part 228-specific plan differs from the Subpart OOOO plan and the OOOO plan would be invoked only when and if Process PN3 were to be utilized, an event that is unlikely at this writing. The 228 Plan is expected to be ongoing in all events.

Per recent communication (between DAR and Varflex) about the content of the Part 228 SSM Plan, it has been agreed that some clarification is warranted in this PRR space. The topic is about three perceived inconsistencies regarding the allowable timeframe within which Varflex shall contact DAR when the RTO malfunctions in any manner that results in excess emissions, DRE at < 85%, or an exceedence of VOC-content (lbs of VOC per gallon of coating less water and less exempt VOC).

Varflex has elected to develop their 228 SSM Plan in simple, concise and user-friendly language that instructs their RTO operators to utilize the most restrictive (shortest) time frame to call DAR about such an RTO upset. Specifically:

- 1) Item 39.2 requires facility to report a Part 228 non-compliance event within 30 days.
- 2) Condition 57 requires facility to phone-in an RTO malfunction within two working days
- 3) Item 22.2 requires several things:
 - a) Excess HAP emission (that continues for > 1 hr) shall be reported within 24 hrs.
 - b) Other non-HAP excess regulated emissions (that occur for > 2 hrs) shall be reported within 48 hrs.
 - c) When (a) or (b) occur, facility shall contact the R6 RAPCE during normal business hours and otherwise they shall contact the NYSDEC Spills Hotline.

Therefore Varflex, in an effort to simplify the above information, has developed their RTO 228 SSM Plan to instruct their RTO operators to execute the following most-restrictive DEC notification:

- 4) Any RTO upset or malfunction that might conceivably contravene any VOC or HAP emission limit, DRE requirement or VOC-content shall invoke Varflex staff to notify the NYSDEC in the following manner:
 - d) Varflex will phone, within 24 hours, R6 RAPCE (Tom Morgan) at (315)785-2521 and discuss and/or leave message regardless of time of day; the incident details shall be communicated.
 - e) After normal business hours, Varflex shall call the NYSDEC Spill Hotline at 1(800)457-7362 and the incident details shall be communicated.
 - f) Following up after a (d) or (e) event, Varflex shall send a written report to DAR within 10 working days and shall also include that same information into the next Semi-Annual Monitoring Report.



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Emission unit 1COAT1 is associated with the following emission points (EP):
EP000

Process: PN2 is located at Building North Room - Compliance Option #2 (emission rate without add-on controls), has been selected in the North Tower Room.

Process: PN3 is located at Building North Room - Compliance Option #3 (emission rate with add-on controls), has been selected in the North Tower Room.

Emission unit 2COAT2 - The operations of the South Tower Room. No control exists here. The coatings used here are all <2.9 lbs/gal less water and excluded VOC, therefore compliant.

Emission unit 2COAT2 is associated with the following emission points (EP):
EP001, EP002, EP003, EP006

Process: PS2 is located at Building South Room - Compliance Option #2 (emission rate without add-on controls), has been selected in the South Tower Room (where no control exists).

Emission unit 3COAT3 - The operations of the Rod Room. These coatings often exceed 2.9 lbs of VOC/gal of coating less water and excluded VOC. They often exceed 0.12 kg HAP/kg of solids applied. Because these are aerospace-used sleeving and also because these rods are hand-coating with a squeegee/die, Part 228 does not apply and neither does 228.7. These rods are not in a web form (only three feet long), so Subpart OOOO does not apply.

Emission unit 3COAT3 is associated with the following emission points (EP):
EPOV1, EPOV2, EPOV4, EPOV5

Process: PR1 is located at Building RodOvenRms - Coating when done in the Rod Room; exempt from Part 228 and also from Subpart OOOO.



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Process: PR2 is located at Building RodOvenRms - Varflex may use this process in the Rod Room to coat non-aerospace sleeves. Varflex will then fully comply with part 228.

Emission unit 4COAT4 - The operations of the creel room/mix room. Clean-up solvents elute from here.

Process: DIS is located at Building Creel Room - This process is the operation of a still, a distillation unit. It separates xylene from paint solids.

Title V/Major Source Status

VARFLEX CORPORATION is subject to Title V requirements. This determination is based on the following information:

Historically, Varflex's PTE for HAP has been above the major source threshold. Since 2009, the PTE facility's emissions do not exceed any major source threshold, but due to the "once in, always in" policy, they remain a Title V firm.

Program Applicability

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

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



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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



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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

3644 3699	NONCURRENT-CARRYING WIRING DEVICES ELECTRICAL EQUIPMENT & SUPPLY
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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

4-02-043-30	SURFACE COATING OPERATIONS SURFACE COATING OPERATIONS - FABRIC COATING, DIP COATING COATING APPLICATION
4-02-999-99	SURFACE COATING OPERATIONS SURFACE COATING OPERATIONS - MISCELLANEOUS SEE COMMENT **

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	Range
000098-82-8	BENZENE, (1-METHYLETHYL)	2432	
000630-08-0	CARBON MONOXIDE	8781	
000100-41-4	ETHYLBENZENE	6714	



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0NY100-00-0	HAP	43560
000121-44-8	N,N-DIETHYL ETHANAMINE	210
0NY210-00-0	OXIDES OF NITROGEN	11234
0NY075-00-0	PARTICULATES	799
0NY075-00-5	PM-10	799
007446-09-5	SULFUR DIOXIDE	56
000108-88-3	TOLUENE	3575
0NY998-00-0	VOC	98000
001330-20-7	XYLENE, M, O & P MIXT.	30630

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,



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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;



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- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

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



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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	56	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 63-A.6(e)(1)(i)	42	Operation and Maintenance (MACT Gen. Prov.)
FACILITY	40CFR 63-A.6(e)(3)	43	Startup, Shutdown and Malfunction Plan
FACILITY	40CFR 63-0000.4292(b)	44	Fabric Coating/Printing/Dyeing NESHAP - Operating Limits
FACILITY	40CFR 63-0000.4293(a)	45	Fabric Coating/Printing/Dyeing NESHAP - Work Practice Standards
1-COAT1/-/PN3	40CFR 63-0000.4293(b)	51	Fabric Coating/Printing/Dyeing NESHAP - Work Practice Standards



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FACILITY	40CFR 63-0000.4332	46	Practice Standards Fabric Coating/Printing/Dyeing NESHAP - Emission Rate Without Add-On Controls Option - Continuous compliance
1-COAT1/-/PN3	40CFR 63-0000.4342	52, 53	Fabric Coating/Printing/Dyeing NESHAP - Emission Rate with Add-On Controls Option - Continuous Compliance Provisions
1-COAT1/-/PN3/RTO#1	40CFR 63-0000.4364 (b)	54	Fabric Coating/Printing/Dyeing NESHAP - Capture System Bypass Line requirements
FACILITY	40CFR 63-0000.4364 (c)	47	Fabric Coating/Printing/Dyeing NESHAP - Oxidizer requirements
FACILITY	40CFR 63-0000.4364 (e)	48	Fabric Coating/Printing/Dyeing NESHAP - Capture system monitoring
1-COAT1/-/PN3/RTO#1	40CFR 63-0000.4364 (e)	55	Fabric Coating/Printing/Dyeing NESHAP - Capture system monitoring
FACILITY	40CFR 68	19	Chemical accident prevention provisions
FACILITY	40CFR 82-F	20	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	8	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	57	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	9	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	10	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	11	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	12	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	21, 49, 50	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.5 (a) (4)	13	General conditions
FACILITY	6NYCRR 201-6.5 (a) (7)	2	General conditions
FACILITY	6NYCRR 201-6.5 (a) (8)	14	Fees
FACILITY	6NYCRR 201-6.5 (c)	3	General conditions Permit conditions for Recordkeeping and Reporting of

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FACILITY	6NYCRR 201-6.5 (c) (2)	4	Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (c) (3) (ii)	22	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (d) (5)	15	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (e)	23	Compliance schedules
FACILITY	6NYCRR 201-6.5 (f) (6)	16	Compliance Certification
FACILITY	6NYCRR 201-6.5 (g)	24	Off Permit Changes
FACILITY	6NYCRR 201-7.2	25, 26	Permit shield
FACILITY	6NYCRR 202-1.1	17	Emissions capping using synthetic minor permits
FACILITY	6NYCRR 202-2.1	5	Required emissions tests.
FACILITY	6NYCRR 202-2.5	6	Emission Statements - Applicability
FACILITY	6NYCRR 211.2	58, 59	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.3	18	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212.10 (a) (2)	26	General Prohibitions - visible emissions limited
FACILITY	6NYCRR 212.3 (b)	27	NOx and VOC RACT required at major facilities
FACILITY	6NYCRR 212.6 (a)	28	General Process Emission Sources - emissions from existing emission sources
FACILITY	6NYCRR 215.2	7	General Process Emission Sources - opacity of emissions limited
FACILITY	6NYCRR 226.3 (a)	29	Open Fires - Prohibitions
FACILITY	6NYCRR 228-1.1 (b) (5)	26	Equipment specifications- cold cleaning
FACILITY	6NYCRR 228-1.1 (d)	30	Compliance upon start-up; table 2 outside NYC & LOC metro
FACILITY	6NYCRR 228-1.10	41	Will remain subject Handling, storage and disposal of VOCs
FACILITY	6NYCRR 228-1.2 (b) (35)	31	Formula for Maximum permitted VOC content
FACILITY	6NYCRR 228-1.3 (c)	32	Solids as applied
FACILITY	6NYCRR 228-1.4	33	Opacity
FACILITY	6NYCRR 228-1.5 (a)	34	VOC recordkeeping by the facility
FACILITY	6NYCRR 228-1.5 (c)	35	Alternate sampling and analysis methods
FACILITY	6NYCRR 228-1.5 (f)	36	Testing and monitoring; Methods



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FACILITY	6NYCRR 228-1.5 (g) (2)	37	18, 25 and 25A Temperature rise across catalytic incinerator bed monitoring
FACILITY	6NYCRR 228-1.5 (h)	38	Maintain Facility Records to verify PTE
FACILITY	6NYCRR 228-1.5 (j)	39	Record of noncompliance
FACILITY	6NYCRR 228-1.7	40	Table 1

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



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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,



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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 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.



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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, VARFLEX CORPORATION has been determined to be subject to the following regulations:

40 CFR 63.4292 (b)

40 CFR 63.4292(b) requires that one parameter of Reference Method 204 be monitored in order to ensure 100% capture. I have selected the air flow rate through the NDO because this parameter seems meaningful and it can be quantified.

In the second usage of 63.4292(b), I have required that the bed firing temperature be held at or above 1387 degrees F because this citation mandates it.

40 CFR 63.4293 (a)

This condition was added to make it more clear to both Varflex and NYSDEC staff that work practice standards are not required when Compliance Option #2 has been selected.

40 CFR 63.4293 (b)

This regulation specifically requires that the facility develop a work practice plan that minimizes HAP emissions.

40 CFR 63.4332

Table 1 to this subpart, in row #2 references "Limit organic HAP emissions to the atmosphere to no more than 0.12 kg of organic HAP per kg of solids applied...". To facilitate unity between the staff of Varflex, the Department and the Administrator, an equal and equivalent statement could be "limit organic HAP emissions to the atmosphere to no more than 0.12 lbs of organic HAP per lb of solids applied...".

40 CFR 63.4342

I wanted this condition in this permit because I want the facility to clearly know that they must report deviations and that the DRE will be zero whenever the RTO is down.



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40 CFR 63.4364 (b)

I wanted the facility to be very clear on what they should do if they ever open the bypass valve to the RTO.

40 CFR 63.4364 (c)

Varflex is required to utilize a combustion chamber temperature sensor and also to maintain it at least quarterly.

40 CFR 63.4364 (e)

Facility is required to develop a monitoring plan for their PTE. They also must select a capture parameter that shall be monitored and reported.

40 CFR 63.6 (e) (1) (i)

Facility is required to operate control equipment correctly.

40 CFR 63.6 (e) (3)

A startup, shutdown and malfunction plan is required.

6 NYCRR 201-7.2

This is a 49 ton per year VOC cap. In this Renewal #2, this cap has been repeated from Renewal #1 at the request of Varflex.

6 NYCRR 212.10 (a) (2)

The facility avoids Part 212 RACT by capping (at 49 Ton/yr) below the major source threshold.

6 NYCRR 212.3 (b)

The four ovens pre-date 7/1/73, so they are held to a particulate grain-loading standard of 0.15 grains per dscf.

6 NYCRR 212.6 (a)

This is a PM 20% opacity limitation that is required for all emission points. Only EPA RM9 can verify true compliance, which is not realistic on a semi-annual basis, so I required the facility to observe their visible emissions. If they see unusual smoke, then they should go investigate. I know, from experience that Varflex never sees any emissions (common for a coating operation) so I required this viewing only weekly.



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6 NYCRR 226.3 (a)

This regulation is an equipment specifications list for cold cleaning degreasers. To be clear, two degreasers at Varflex are either exempt or trivial; a third degreaser, due to a solvent capacity of less than 2 gallons, has no equipment specs. This condition is written to portray this reality.

6 NYCRR 228-1.1 (b) (5)

The facility caps out of Part 228 RACT by capping (at 49 tons/yr) below the major source threshold.

6 NYCRR 228-1.1 (d)

This is basically Part 228's "once in, always in" clause.

6 NYCRR 228-1.10

As a coating operation, Varflex shall perform an "open container" inspection periodically.

6 NYCRR 228-1.2 (b) (35)

This is a standard regulation for any coating operation. Use this equation if you need to calculate the VOC-content of an as-applied coating.

6 NYCRR 228-1.3 (c)

This regulation clearly mandates that a >85% DRE thermal oxidizer needs to be used to control non-compliant (6 NYCRR 228.7) coatings (ones that exceed 2.9 lbs/gal less water and exempt solvents). This RTO must be re-tested during this permit term; this future test certifies the RTO for Renewal #3. Varflex is free to perform any additional testing at will.

6 NYCRR 228-1.4

This is a PM 20% opacity limitation that is required for Part 228 emission points. Only EPA RM9 can verify true compliance, which is not realistic on a semi-annual basis, so I required the facility to observe their visible emissions. If they see unusual smoke, then they should go investigate and correct as necessary. I know, from experience that Varflex never sees any emissions (common for a coating operation) so I required this viewing only weekly.

6 NYCRR 228-1.5 (a)



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This condition is standard Part 228 fare, Varflex must have a reputable basis for the VOC-content of its coatings.

6 NYCRR 228-1.5 (c)

I added this condition in an effort to notify future NYSDEC inspecting staff that I have authorized Varflex to create their own "MSDS" type information for their coatings. Varflex formulates their own coatings, so there exists no manufacturer data about VOC/HAP content. I scrutinized the Varflex records and they appeared to be very sufficient.

6 NYCRR 228-1.5 (f)

The regulation RMs 18, 25 or 25A to be used to determine VOC emissions from a given coating if such a need were to arise.

6 NYCRR 228-1.5 (g) (2)

The RTO shall always fire at or above 1387 degrees F in order to ensure 98.1% DRE as witnessed in the 10/09 stack test.

6 NYCRR 228-1.5 (h)

Facility shall keep good records on VOC PTE.

6 NYCRR 228-1.5 (j)

This is standard fare for permits that operate coating operations.

6 NYCRR 228-1.7

VOC-content is limited to 2.9 lbs/gal.

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 HHHHHH	NESHAP for Paint Stripping and Misc. Surface Coating Operations at Area Sources

Reason: During the application phase of Renewal #2, Varflex formulated



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all coatings without the inclusion of "target HAPs" (per Subpart HHHHHH) which are the compounds of cadmium, chromium, lead, manganese and nickel; therefore Subpart HHHHHH did not apply. 40 CFR 63 Subpart HHHHHH will not apply to Varflex unless a target HAP is to appear in any coating or if the facility utilizes a methylene chloride de-painting product.

FACILITY	40 CFR Part 64	COMPLIANCE ASSURANCE MONITORING
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Reason: Compliance Assurance Monitoring (CAM Rule) has been deemed to be NOT APPLICABLE to Varflex Corp as the EPA relevant standard, 40 CFR 63-Subpart 0000 was proposed after the applicability threshold date of 11/15/90.

FACILITY	6 NYCRR 226.2 (g)	General Requirments- cold cleaning record keeping
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Reason: Facility operates four cold-cleaning degreasing units, a remote-reservoir cold cleaning degreasing unit, which is trivial per 6NYCRR 201-3.3(c)(49), a freeboard-regulated degreaser which is exempt per 6 NYCRR 201-3.2(c)(39) and two non-remote reservoir units that hold less than two gallons each [trivial per 6NYCRR 201-3.3(c)(51)]. The latter two may utilize xylene (vapor pressure = 7mmHg) due to 2 gallon capacity. Varflex shall calculate degreaser VOC and HAP emissions from solvent usage records and current MSDS information. Degreaser emissions shall be separately itemized and then added into total facility VOC/HAP emissions on the Semi-Annual Monitoring Report. MSDS shall be retained onsite. Records shall be maintained for a minimum five year period.

FACILITY	6 NYCRR 228-1.1 (e) (7) Exceptions	
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Reason: The requirements of Part 228 do not apply to those aerospace coatings that are utilized for pretreatment, electric/radiation effects or fuel tanks. The application of coatings to most of the rods, in the Rod Room have been determined to be "aerospace" in their usage.

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 VARFLEX CORPORATION:

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

FACILITY	44	monitoring of process or control device parameters as surrogate
FACILITY	45	record keeping/maintenance procedures
1-COAT1/-/PN3	51	record keeping/maintenance procedures
FACILITY	46	monitoring of process or control device parameters as surrogate
1-COAT1/-/PN3	52	record keeping/maintenance procedures
1-COAT1/-/PN3	53	record keeping/maintenance procedures
1-COAT1/-/PN3/RTO#1	54	record keeping/maintenance procedures
FACILITY	47	record keeping/maintenance procedures
FACILITY	48	monitoring of process or control device parameters as surrogate
1-COAT1/-/PN3/RTO#1	55	record keeping/maintenance procedures
FACILITY	22	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	5	record keeping/maintenance procedures
FACILITY	59	record keeping/maintenance procedures
FACILITY	27	monitoring of process or control device parameters as surrogate
FACILITY	28	monitoring of process or control device parameters as surrogate
FACILITY	29	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	31	record keeping/maintenance procedures
FACILITY	32	intermittent emission testing
FACILITY	33	monitoring of process or control device parameters as surrogate
FACILITY	34	record keeping/maintenance procedures
FACILITY	35	record keeping/maintenance procedures
FACILITY	36	record keeping/maintenance procedures
FACILITY	37	monitoring of process or control device parameters as surrogate
FACILITY	38	record keeping/maintenance procedures
FACILITY	39	record keeping/maintenance procedures
FACILITY	40	work practice involving specific operations

Basis for Monitoring

This is standard fare for permits that operate coating operations.

40 CFR 63 Subpart HHHHHH (Non-Applicable Requirement): The non-applicable requirement for Subpart HHHHHH was put into this permit as a countermeasure to meet Varflex's repeated utilization of Permit Shield. Target HAPs were not in use at Varflex at the time of Renewal #2's writing, therefore Subpart HHHHHH never appeared in this renewal. In the future event that a target HAP were to arise in a Varflex coating formulation, the NYSDEC seeks to maintain enforcement flexibility that might otherwise be eroded.



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