

## New York State Department of Environmental Conservation

### Permit Review Report

Permit ID: 7-3126-00016/00263

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#### Facility Identification Data

Name: BRISTOL-MYERS SQUIBB COMPANY  
Address: 6000 THOMPSON RD  
City: SYRACUSE  
Zip: 13221  
Zip: 13221

#### Owner/Firm

Name: BRISTOL-MYERS SQUIBB CO INC  
City: NEW YORK  
State: NY Country: USA Zip: 10154  
Owner Classification: Corporation/Partnership

#### Permit Contacts

Division of Environmental Permits:  
Name: JOANNE L MARCH

Division of Air Resources:  
Name: CHARLES H CHERNOFF

#### Air Permitting Contact:

Name: DAVID P LAPINSKI  
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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 separate document and is not itself an enforceable term and condition of the permit.

#### Summary Description of Proposed Project

This is an initial Phase II facility permit application submitted 4 December 1998 which has been prepared consistent with 6 NYCRR Part 201-6. The Phase I Title V application was submitted on 9 December 1997.

BMS has included existing facility Special Conditions in this Title V application by reference within the application forms. The full text of Special Conditions that are proposed to be incorporated in the BMS Title V permit are included in Section 7 of the 4 December 1998 application. Consistent with BMS's

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discussions with NYSDEC, some existing special conditions do not warrant incorporation into the Title V Permit (i.e. onetime only compliance obligations that have already been met, special conditions which are otherwise addressed by applicable requirements, etc.). A comprehensive "red lined" version of the Special Conditions is provided in Appendix A for reference.

The State Only Requirements of 6 NYCRR Part 212 have been incorporated into this permit application through an April 2001 amendment to the 4 December 1998 Title V application .

Additionally, the 4 December 1998 application , as revised April 2001, does not include applicable requirements consisting of onetime only compliance obligations that BMS has already satisfied and which, therefore, do not impose continuing compliance obligations.

Consistent with discussions between representatives of BMS and NYSDEC, process-level and emissions unit-level emissions summary information has not been included in this application. Actual emissions information is not required based on BMS's submittal of an annual emissions statement consistent with the provisions of Part 202-2. As discussed with NYSDEC representatives, the combined Process and Emissions Unit emissions per pollutant with the "Process" and Emission unit" groupings don not provide NYSDEC with specific emissions information to assess regulatory compliance. Regulatory compliance is demonstrated through the facility's emissions monitoring and record keeping program. Facility-level emissions summary information includes potential emissions range codes for criteria pollutants and speciated federally regulated contaminants.

### Attainment Status

BRISTOL-MYERS SQUIBB COMPANY is located in the town of DEWITT in the county of ONONDAGA.

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* ATTAINMENT)	TRANSPORT REGION (NON-ATTAINMENT)
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO) ATTAINMENT)	MAINTENANCE (NON-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

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**Facility Description**

THIS FACILITY IS ENGAGED IN THE MANUFACTURE OF PHARMACEUTICAL PREPARATIONS. PRIMARY ACTIVITIES AT THE FACILITY INCLUDE MANUFACTURING, QUALITY CONTROL, RESEARCH AND DEVELOPMENT, LABORATORIES, PILOT PLANTS, AND SUPPORTING OPERATIONS. SUPPORTING OPERATIONS INCLUDE MAINTENANCE, UTILITIES, WASTEWATER PRETREATMENT, AND ADMINISTRATIVE OFFICES. CERTAIN OF THESE ACTIVITIES ARE CONSIDERED EXEMPT OR TRIVIAL, UNDER THE TITLE V PERMIT PROGRAM. PHARMACEUTICAL MANUFACTURING ACTIVITIES INCLUDE FERMENTATION, PRODUCT RECOVERY, DRYING, AND BULK PACKAGING OPERATIONS.

**Permit Structure and Description of Operations**

The Title V permit for BRISTOL-MYERS SQUIBB COMPANY 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.

BRISTOL-MYERS SQUIBB COMPANY is defined by the following emission unit(s):

Emission unit UBMS01 - THIS EMISSION UNIT CONTAINS MANY EMISSIONS POINTS IN VARIOUS LOCATIONS AT THE BRISTOL-MYERS SQUIBB COMPANY, SYRACUSE, NEW YORK FACILITY. THIS EMISSION UNIT REPRESENTS THE FOLLOWING PROCESSES; 001, 002, 003, 004, 005, 006, 007, 008, 009 AND 010.

BUILDING 9A , AMINOGLYCOSIDES (B)

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- BUILDING 9B, AMINOGLYCOSIDES (C)
- BUILDING 9N, AMINOGLYCOSIDES (D) / CHEMICAL INTERMEDIATES (A)
- BUILDING 25, AMINOGLYCOSIDES (A)
- BUILDING 75, ANTI-CANCER PILOT PLANT
- BUILDING 24A, BIO-CHEM PILOT PLANT
- BUILDING 4B, CEPHALOSPORING EXTRACTION / CHEMICAL SERVICES (A)
- BUILDING 9S CHEMICAL INTERMEDIATES (B)
- BUILDING 29 CHEMICAL INTERMEDIATES (C)
- BUILDING 52 CHEMICAL INTERMEDIATES (D)
- BUILDING 62 CHEMICAL INTERMEDIATES (E)
- BUILDING 13 CHEMICAL SERVICES (B)
- BUILDING 8 FERMENTATION

**B**

Emission unit UBMS01 is associated with the following emission points (EP):

00T92, 01001, 01003, 01008, 01009, 01010, 01011, 01012, 01013, 01016, 02001, 04368, 09373, 0CHT7, 0CHTX, 10010, 13003, 13019, 13022, 13026, 13043, 13044, 13045, 13046, 13047, 13048, 13049, 13050, 13051, 13052, 13053, 13054, 13T20, 20376, 20A01, 24001, 24177, 24A00, 24A02, 24A03, 24A04, 24A05, 24A06, 24A07, 24A08, 24A09, 24A10, 24A11, 24A12, 24A13, 24A15, 24A16, 24A17, 24A18, 24A23, 24A24, 24A26, 24A27, 24A28, 25001, 25002, 25005, 25007, 25008, 25009, 25012, 25014, 25015, 25016, 25020, 25021, 250T6, 250T9, 25168, 2516A, 25N00, 29175, 4A20A, 4B003, 4B008, 4B011, 4B016, 4B017, 4B018, 4B019, 4B020, 4B021, 4B023, 4B024, 4B025, 4B0S1, 4B12B, 4B22B, 4B23B, 4B24B, 4B26A, 4B26B, 4B26C, 4B27B, 4B28B, 4B29B, 4B30A, 4B40B, 4B79B, 4BACS, 4BAFP, 4BBCC, 4BBCS, 4BCEN, 4BCFP, 4BFSA, 4BFSS, 4BMEM, 4BT1B, 4BT3B, 52003, 52004, 52006, 62001, 64035, 64036, 64037, 64038, 64039, 64040, 64041, 75001, 75002, 75003, 75004, 75320, 75321, 80001, 9768A, 9A001, 9A002, 9A007, 9A008, 9A009, 9A010, 9B003, 9N001, 9N002, 9N003, 9N004, 9N005, 9N006, 9N007, 9N008, 9N010, 9N011, 9N012, 9N013, 9S001, 9S002, 9S005, 9S006, CHT08, CHT09, CHT15, E1279, E1879, E1979, E3179, T0879, T7000, VE179, VE279, VE379, VST07, VST08, VST09, VST10

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

Process: 001Equipment standards for in-process tanks with VOC emissions.

Process: 002Reactors, extractors, crystallizers, centrifuges, distillation operations and vacuum dryers with an ERP of less than 15 lbs/day VOC are exempt from Part 233.

Process: 003Equipment with particulate emissions subject to the Part 212 grain standard.

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Process: 004 Emissions control required for reactors, extractors, crystallizers, centrifuges, distillation operations and vac dryers with ERP > 15 lbs VOC/day (+air dryers and prod. equip. exhaust with ERP > 33 lb VOC/day) are subject to Part 233 control requirements.

Process: 005 Equipment subject to Part 212 State-only pollutant requirements that do not require emissions control.

Process: 006 Storage tanks containing VOC's, which are subject to 40 CFR 60 Kb applicability.

Process: 007 Equipment standards for storage tanks and filters with VOC emissions.

Process: 008 Units which transfer VOC with vapor pressures > 4.1 psi at 20 degrees C from trucks or rail cars to storage tanks with capacities greater than 2,000 gallons, other than tanks with floating roofs, vapor recovery or equivalent controls.

Process: 009 Sources subject to SOCOMI regulations.

Process: 010 Equipment subject to Part 212 State-only pollutant requirements that may require emissions control per Table 2 based on operating scenario.

Emission unit UTIL03 - This emission unit is contained in buildings 4B, 17, 24A, 63, 75, 201, 202 and 203 and it includes emission points: 06000, 24A25, 20301, 34004, 34003, 4BBS1, 4BBS2, 75006 and 75007. The associated processes are identified as: M05, M07, U07 and U15.

Emission unit UTIL03 is associated with the following emission points (EP):

20301, 20801, 24A25, 34003, 34004, 4BBS1, 4BBS2, 75006, 75007

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

Process: M05 General Process emissions. This process includes general process low level pickups distributed throughout the facility.

Process: M07 Maintenance. This process includes maintenance storage vessels for waste liquids.

Process: U07 233 Equipment Standards. In process tanks, storage tanks, and filters with VOC emissions.

Process: U15 Pre-Treatment Plant (Aerobic). This process is the wastewater pretreatment plant aerobic operations.

Emission unit 1CMBUS - THIS EMISSION UNIT INCLUDES THE FACILITY'S BOILERS (NUMBERS 6, 8, 9 AND 4) BUILDING 32A INCINERATOR, WWTP BOILER, FLARE, AND EXEMPT EMERGENCY GENERATOR AND ENGINES.

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

00006, 02004, 02008, 02009, 020S6, 020T6, 20201, 20202

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

Process: C31 is located at Building 2 - BOILER 6 IS A BABCOCK WILCOX UNIT RATED AT 98.0 MILLION BTU/HR. MAXIMUM HEAT INPUT. THE BOILER IS ONE OF THE PRIMARY SOURCES OF STEAM FOR THE FACILITY. THE BOILER IS FIRED WITH NATURAL GAS UNDER THIS PROCESS. ONLY PROCESS C31 OR PROCESS C32 WILL BE OPERATED AT ANY TIME. THE BOILER IS EQUIPPED WITH DUAL FUEL LOW NOX BURNER. EMISSION POINT 020S6 (SHORT STACK) IS TYPICALLY USED DURING THIS PROCESS.

Process: C32 is located at Building 2 - BOILER 6 IS A BABCOCK WILCOX UNIT RATED AT 98.0 MILLION BTU/HR. MAXIMUM HEAT INPUT. THE BOILER IS ONE OF THE PRIMARY SOURCES OF STEAM FOR THE FACILITY. THE BOILER IS FIRED WITH NO 6 FUEL OIL UNDER THIS PROCESS. ONLY PROCESS C32 OR PROCESS C31 WILL BE OPERATED AT ANY TIME. THE BOILER IS EQUIPPED WITH DUAL FUEL LOW NOX BURNER. EMISSION POINT 020T6 (TALL STACK) USED DURING THIS PROCESS.

Process: C33 is located at Building 2 - BOILER #8 IS A BABCOCK - WILCOX UNIT RATED AT 91.18 MILLION BTU/HR. MAXIMUM HEAT INPUT. THE BOILER IS ONE OF THE PRIMARY

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SOURCES OF STEAM FOR THE FACILITY. THE BOILER IS FIRED WITH NATURAL GAS UNDER THIS PROCESS. ONLY PROCESS C33 OR OR PROCESS C34 WILL BE OPERATED AT ANY TIME. THE BOILER IS EQUIPPED WITH DUAL FUEL LOW NOX BURNER.

Process: C34 is located at Building 2 - BOILER #8 IS A BABCOCK WILCOX UNIT RATED AT 91.18 MILLION BTU/HR. MAXIMUM HEAT INPUT. THE BOILER IS ONE OF THE PRIMARY SOURCES OF STEAM FOR THE FACILITY. THE BOILER IS FIRED WITH NO. 2 FUEL OIL UNDER THIS PROCESS. ONLY PROCESS C 34 OR PROCESS C33 WILL BE OPERATED AT ANY TIME. THE BOILER IS EQUIPPED WITH DUAL FUEL LOW NOX BURNER.

Process: C35 is located at Building 2 - BOILER #9 IS A NEBRASKA UNIT RATED AT 97.64 MILLION BTU/HR MAXIMUM HEAT INPUT. THE BOILER IS ONE OF THE PRIMARY SOURCES OF STEAM FOR THE FACILITY. THE BOILER IS FIRED WITH NATURAL GAS UNDER THIS PROCESS. ONLY PROCESS C35 OR PROCESS C36 WILL BE OPERATED AT ANY TIME. THE BOILER IS EQUIPPED WITH DUAL FUEL LOW NOX BURNER.

Process: C36 is located at Building 2 - BOILER #9 IS A NEBRASKA UNIT RATED AT 97.64 MILLION BTU/HR. MAXIMUM HEAT INPUT. THE BOILER IS ONE OF THE PRIMARY SOURCES OF STEAM FOR THE FACILITY. THE BOILER IS FIRED WITH NO. 2 FUEL OIL UNDER THIS PROCESS. ONLY PROCESS C36 OR PROCESS C35 WILL BE OPERATED AT ANY TIME. THE BOILER IS EQUIPPED WITH DUAL FUEL LOW NOX BURNER.

Process: C37 is located at Building 2 - BOILER #4 IS A PACKAGE UNIT RATED 29.0 MILLION BTU/HR. MAXIMUM HEAT INPUT. THE BOILER IS ONE OF THE PRIMARY SOURCES OF STEAM FOR THE FACILITY. THE BOILER IS FIRED WITH NATURAL GAS.

Process: C38 is located at Building 32R - THIS PROCESS CONSISTS OF A 4.8 MILLION BTU/HR. (MAXIMUM FIRING RATE) NATURAL GAS FIRED INCINERATOR LOCATED IN BUILDING 32 A.

Process: C39 is located at Building 202 - THIS PROCESS IS A BOILER RATED AT 20.9 MILLION BTU/HR. MAXIMUM FIRING RATE, LOCATED NEAR THE WWTP. THE BOILER IS OPERATED TO COMBUST BIOGAS FROM THE TREATMENT PLANT USING NATURAL GAS FOR CO FIRING. TYPICALLY, PROCESS C39 OPERATES INTERCHANGEABLY WITH PROCESS C40.

Process: C40 is located at Building 202 - THIS PROCESS IS A FLARE RATED AT 20.9 MILLION BTU/HR. MAXIMUM FIRING RATE, LOCATED NEAR THE WWTP. THE FLARE IS OPERATED TO COMBUST BIOGAS FROM THE TREATMENT PLANT USING NATURAL GAS FOR CO FIRING. TYPICALLY, PROCESS C40 OPERATES INTERCHANGEABLY WITH PROCESS C39.

#### **Title V/Major Source Status**

BRISTOL-MYERS SQUIBB COMPANY is subject to Title V requirements. This determination is based on the following information:

This facility is major for Volatile Organic Compounds (VOC). A proposed project which is part of this permit will make the facility major for Nitrogen Oxides (NOx), and the facility is major for Hazardous Air Pollutants (HAP).

#### **Program Applicability**

The following chart summarizes the applicability of BRISTOL-MYERS SQUIBB COMPANY with regards to the principal air pollution regulatory programs:

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

**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

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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
2833	MEDICINALS AND BOTANICALS

### SCC Codes

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

SCC Code	Description
3-01-060-99	CHEMICAL MANUFACTURING CHEMICAL MANUFACTURING - PHARMACEUTICAL PREPARATIONS Other Not Classified
1-02-005-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-02-006-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS 10-100 MMBtu/Hr
1-02-004-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - RESIDUAL OIL Grade 6 Oil
5-02-005-05	SOLID WASTE DISPOSAL - COMMERCIAL/INSTITUTIONAL SOLID WASTE DISPOSAL: COMMERCIAL - INCINERATION: SPECIAL PURPOSE Pathological
5-03-007-89	SOLID WASTE DISPOSAL - INDUSTRIAL SOLID WASTE DISPOSAL: INDUSTRIAL - LIQUID WASTE SLUDGE DIGESTER GAS FLARE

**Facility Emissions Summary**

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

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000107-06-2	1,2-DICHLOROETHANE (HAP)	> 0	but < 10 tpy
000107-21-1	1,2-ETHANEDIOL (HAP)	> 0	but < 10 tpy

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000108-38-3	1,3 DIMETHYL BENZENE (HAP)	>= 10	tpy
000123-91-1	1,4-DIETHYLENE DIOXIDE (HAP)	>= 10	tpy
000108-10-1	2-PENTANONE, 4-METHYL (HAP)	>= 10	tpy
000075-05-8	ACETONITRILE (HAP)	>= 10	tpy
000121-69-7	BENZENAMINE, N, N-DIMETHYL (HAP)	> 0	but < 10 tpy
000095-47-6	BENZENE, 1,2-DIMETHYL (HAP)	>= 10	tpy
000630-08-0	CARBON MONOXIDE	>= 10	tpy but < 25 tpy
007782-50-5	CHLORINE (HAP)	>= 10	tpy
000067-66-3	CHLOROFORM (HAP)	> 0	but < 10 tpy
000075-09-2	DICHLOROMETHANE (HAP)	>= 10	tpy
000068-12-2	FORMAMIDE, N,N-DIMETHYL (HAP)	>= 10	tpy
0NY100-00-0	HAP	>= 250	tpy
000110-54-3	HEXANE (HAP)	>= 10	tpy
007647-01-0	HYDROGEN CHLORIDE (HAP)	> 0	but < 10 tpy
007783-06-4	HYDROGEN SULFIDE	>= 2.5	tpy but < 10 tpy
000067-56-1	METHYL ALCOHOL (HAP)	>= 10	tpy
000078-93-3	METHYL ETHYL KETONE (HAP)	>= 10	tpy
001634-04-4	METHYL TERTBUTYL ETHER (HAP)	>= 10	tpy
000121-44-8	N,N-DIETHYL ETHANAMINE (HAP)	>= 10	tpy
0NY210-00-0	OXIDES OF NITROGEN	266800	
0NY075-00-0	PARTICULATES	>= 50	tpy but < 100 tpy
0NY075-00-5	PM-10	>= 25	tpy but < 40 tpy
007446-09-5	SULFUR DIOXIDE	>= 25	tpy but < 40 tpy
000108-88-3	TOLUENE (HAP)	>= 10	tpy
0NY998-00-0	VOC	>= 250	tpy
000106-42-3	XYLENE, PARA- (HAP)	>= 10	tpy

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with

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emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

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

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

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

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

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

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

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

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
  - (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
  - (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions

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

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

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

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

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

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

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

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

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control requirements, regulations, or law.

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

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

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

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

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

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

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

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

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

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

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of

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a notification of planned changes or anticipated noncompliance does not stay any permit condition.

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

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

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

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

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

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

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

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

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

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

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- iii. Inspect, at reasonable times, any facilities, equipment

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(including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

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

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

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

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

i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

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

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

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

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit

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

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

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

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

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

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

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

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

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

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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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**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Regulation</b>	<b>Short Description</b>	<b>Condition</b>
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1-CMBUS/-/C36/17000	40CFR 60-Dc.43c(c)	Standard for Opacity.	67
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1-CMBUS/-/C36/17000	40CFR 60-Dc.48c(f)(1)	Reporting and Recordkeeping Requirements (distillate oil).	68
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### Applicability Discussion:

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

#### ECL 19-301.

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

#### 6NYCRR Part 201-1.4

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

#### 6NYCRR Part 201-6

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

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

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

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

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA

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

6NYCRR Part 201-6.5(e)

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

6NYCRR Part 202-2.1

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

6NYCRR Part 202-2.5

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

6NYCRR Part 211-.2

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

40 CFR Part 68.

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

40 CFR Part 82, Subpart F

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

**Facility Specific Requirements**

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In addition to Title V, BRISTOL-MYERS SQUIBB COMPANY has been determined to be subject to the following regulations:

40CFR 52-A.21

This citation applies to facilities that are subject to Prevention of Significant Deterioration provisions; ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) .

40CFR 52-HH.

40 CFR 52 Subpart HH contains Federal approval for the State Implementation Plan (SIP) for New York State. this permit contains a particulate limit for oild fired boilers that is Federally enforceable in New York's SIP but is not contained in the current version of 6NYCRR Part 227.

40CFR 60-A.11

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40CFR 60-A.11 (a)

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40CFR 60-A.11 (d)

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40CFR 60-A.11 (f)

40 CFR 60-A.11(f) specifies that special provisions set forth under an applicable subpart shall supercede any conflicting provisions in paragraphs (a) through (e) of section 60.11, Compliance with standards and maintenance requirements, of the General Provisions of the New Source Performance Standards.

40CFR 60-A.11 (g)

This regulation allows the use of any credible evidence or information to determine whether or not a violation of a standard has occurred.

40CFR 60-A.12

This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.

40CFR 60-A.15

This regulation defines the term reconstruction and what is and is not considered to be a reconstruction project, for the purpose of rule applicability.

40CFR 60-A.19

This regulation specifies that the time periods for purposes of submitting required notifications and reports shall be measured in calendar days and that the postmark date of submittals shall be used to determine if submittals are made on time.

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40CFR 60-A.7 (a)

This regulation requires any owner or operator subject to a New Source Performance Standard (NSPS) to furnish the Administrator with notification of the dates of: construction or reconstruction, initial startup, any physical or operational changes, commencement of performance testing for continuous monitors and anticipated date for opacity observations as required.

40CFR 60-A.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40CFR 60-A.7 (c)

This requirement details the information to be submitted in excess emissions and monitoring systems performance reports which must be submitted at least semi-annually for sources with compliance monitoring systems.

40CFR 60-A.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40CFR 60-A.8 (a)

This regulation contains the requirements for the completion date and reporting of Performance Testing (stack testing), at the facility. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, the owner or operator of the facility must conduct performance test(s) and furnish a written report of the test results.

40CFR 60-A.8 (b)

This regulation contains the requirements for Performance test methods and procedures, to be used by the owner or operator, of the affected facility.

40CFR 60-A.8 (c)

This condition contains the requirements for operating conditions, of the emission source, during performance testing.

40CFR 60-A.8 (d)

This regulation contains the requirements for advance notification of Performance (stack) testing.

40CFR 60-Dc.42c (d)

This regulation requires that on or after the date on which the initial performance test is completed or required to be completed under section 60.8 of 40 CFR 60 Subpart A, no owner or operator of an affected facility that combusts oil, shall combust oil with a sulfur content in excess of 0.5 percent by weight.

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#### 40CFR 60-Dc.43c (c)

This regulation requires that on or after the date on which the initial performance test is completed or is required to be completed, an affected facility that combusts coal, wood, or oil and has a heat input of 30 million Btu per hour (8.7 MW) or greater, shall not cause any gases to be discharged to the atmosphere, that exhibit an opacity greater than 20% (based on a 6-minute average) or exceeds 27% for one 6-minute period per hour.

#### 40CFR 60-Dc.44c (h)

This regulation requires facilities demonstrating compliance through vender certification to follow the compliance procedures listed in the appropriate paragraphs of 40 CFR 60-Dc.48c.

#### 40CFR 60-Dc.48c (f) (1)

Fuel supplier certifications for distillate oil shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specification under the definition of distillate oil in 40 CFR 60-Dc.41c

#### 40CFR 60-Dc.48c (g)

The owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each day.

#### 40CFR 60-Kb.110b (a)

This regulation specifies that, except for a few exceptions, storage vessels 40 cubic meters or larger built or modified after July 23, 1984 that store volatile organic liquids are subject to the Subpart Kb new source performance standards for storage vessels.

#### 40CFR 60-Kb.110b (b)

This regulation exempts certain storage vessels 75 cubic meters or smaller from the requirements of this subpart except for some recordkeeping. It requires the facility to keep records showing the dimensions and storage capacity of each storage vessel 40 cubic meters or larger.

#### 40CFR 60-Kb.116b (a)

This is the records retention requirement for all records required by this section.

#### 40CFR 60-Kb.116b (b)

Owners or operators of affected storage tanks with capacities greater than or equal to 10,000 gallons must keep records of the tanks dimensions and an analysis of its capacity for the life of the tank. If the tank's capacity is less than 20,000 gallons, then it is subject to no other provisions of this subpart.

#### 40CFR 61-A.05

This regulation requires the owner or operator of the affected source to get approval from the EPA prior to constructing or modifying any stationary source.

#### 40CFR 61-A.12

This regulation requires that the owner or operator of the affected source prove their compliance with numerical emission limits with an emission test. Further, compliance with design, equipment, work practice or operational standards shall be determined as specified in an individual subpart that the source is subject to.

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#### 40CFR 61-A.19

This regulation forbids an owner or operator of an affected source to build, erect, install, or use any article machine, equipment, process or method which conceals an emission which would otherwise constitute a violation of an applicable standard. Concealment would include the use of gaseous dilutants to achieve compliance with a visible emissions standard, and the piecemeal carrying out of an operation to avoid coverage by a standard that applies only to operations larger than a specified size.

#### 40CFR 61-M.145

This condition requires demolition and renovation projects involving regulated asbestos containing material (RACM) to comply with the notification and procedures for asbestos emission control in 40 CFR 61.145. The provisions of 40 CFR 61, subpart M, section 145 have not been delegated to the NYSDEC. The USEPA is responsible for implementation of the regulation and has a memorandum of understanding with the NYS Department of Labor which inspects demolition and renovation projects involving RACM.

#### 40CFR 61-M.150

This condition requires demolition and renovation projects involving regulated asbestos containing material (RACM) to comply with the waste disposal standards in 40 CFR 61.150. The provisions of 40 CFR 61, subpart M, section 150 have not been delegated to the NYSDEC. The USEPA is responsible for the implementation of the regulation and has a memorandum of understanding with the NYS Department of Labor which inspects demolition and renovation project involving RACM.

#### 40CFR 61-M.152

This regulation specifies the air-cleaning requirements for air filtering equipment used for asbestos renovation and demolition projects.

#### 40CFR 63-F.103 (e)

This regulation, Subpart F relates to the National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry. This section deals with records retention and documentation.

#### 40CFR 63-GGG.

These regulations relate to the National Emission Standards for Pharmaceuticals Production.

#### 40CFR 63-H.160

This section of the Equipment Leaks portion of the Hazardous Organic NESHAP rule describes the types of equipment subject to the rule and types that are exempt. It also describes how overlap with other federal regulations are handled.

#### 40CFR 63-H.162

This section of the Equipment Leaks rule describes the general standards that apply regardless of equipment type. Other sections contain standards specific to a given type of equipment (e.g., pumps in light liquid service).

#### 40CFR 63-H.162 (c)

This section establishes the General Standards for leaks from Synthetic Organic Manufacturing.

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40CFR 63-H.162 (f)

This section describes what to do when leaks occur from a Hazardous Synthetic Organic Manufacturing Process.

40CFR 63-H.163

This section of the Equipment Leaks rule describes the standards for pumps in light liquid service. Since the individual pumps at the facility are not listed in the permit but are contained in on-site logs or descriptions, the types of pumps that are exempt are listed in the permit for clarity.

40CFR 63-H.163 (a)

This regulation establishes the specific standards leaks for Pumps in light liquid service.

40CFR 63-H.163 (b) (1)

This regulation relates to the monitoring program for leaks in pumps in light liquid service.

40CFR 63-H.163 (b) (2)

This paragraph of the Equipment Leaks rule defines leaks for pumps in light liquid service. Leaks are not violations but trigger attempts at repair.

40CFR 63-H.163 (b) (3)

This regulation describes repair standards for specific leak rates.

40CFR 63-H.163 (d) (1)

This paragraph of the equipment leaks rule describes how to calculate the percent of leaking pumps in light liquid service. The result is used to determine whether or not a quality improvement program for pumps is required.

40CFR 63-H.163 (e)

This regulation describes specific exemptions for certain types of equipment.

40CFR 63-H.163 (j)

This regulation describes specific monitoring requirements for certain pumps.

40CFR 63-H.164

This section of the Equipment Leaks rule describes the leak detection and repair standards for compressors. It describes the seal systems and sensors required as well as specific exemptions.

40CFR 63-H.165

This section of the Equipment Leaks rule includes the standards for pressure relief devices in gas or vapor service. These devices are designed to prevent overpressurization of tanks, reactors, etc. When one releases, it must be manually reset to a defined sealed position in a specified period of time.

40CFR 63-H.166

This regulation establishes sampling connection standards and equipment.

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40CFR 63-H.167 (a)

This section of the Equipment Leaks rule requires caps, plugs, or blind flanges or second valves on open-ended valves and lines.

40CFR 63-H.167 (b)

This regulation describes valve operations.

40CFR 63-H.167 (c)

This regulation describes specific standards for specific types of equipment.

40CFR 63-H.167 (d)

This regulation describes exemptions for emergency relief valves.

40CFR 63-H.167 (e)

This paragraph describes certain exemptions to the requirement for open-ended valves and lines to be plugged or capped.

40CFR 63-H.168

This section of the Equipment Leaks rule provides the monitoring schedule for valves in gas/vapor or light liquid service as well as the leak definition, and method for calculating of percent leaking valves. The percent leaking valves determines which schedule to use and may trigger a quality improvement program.

40CFR 63-H.168 (f)

This paragraph describes the repair requirements for leaking valves in gas/vapor or light liquid service.

40CFR 63-H.168 (h)

This regulation describes specific exemptions procedures for monitoring valves.

40CFR 63-H.168 (i)

This regulation describes procedures for monitoring difficult to monitor equipment.

40CFR 63-H.168 (j)

This requirement specifies the monitoring requirement for a plant site with fewer than 250 valves.

40CFR 63-H.169

This regulation describes standards for pumps, valves, connectors, and agitators in heavy liquid service; instrumentation systems; and pressure relief devices in liquid service.

40CFR 63-H.170

This regulation covers standards for surge control vessels and bottoms receivers.

40CFR 63-H.171 (a)

This regulation covers standards for delay of repair.

40CFR 63-H.171 (b)

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This regulation covers standards for delay of repair.

40CFR 63-H.171 (c)

This regulation covers standards for delay of repair.

40CFR 63-H.171 (d)

This regulation covers standards for delay of repair.

40CFR 63-H.171 (e)

This regulation covers standards for delay of repair.

40CFR 63-H.172

This regulation covers standards for closed-vent systems and control devices.

40CFR 63-H.173

This section of the Equipment Leaks rule provides the leak monitoring schedule, leak definition, repair standards and exemptions for agitators in gas/vapor or light liquid service.

40CFR 63-H.174 (a)

This regulations covers standards for connectors in gas/vapor service and light liquid service.

40CFR 63-H.174 (c) (1) (i)

This regulation covers standards in gas/ vapor service and light liquid service.

40CFR 63-H.174 (c) (2)

This regulation covers standards for connectors in gas/vapor service and in light liquid service.

40CFR 63-H.174 (f)

This regulation covers standards for connectors in gas/ vapor service and in light liquid service.

40CFR 63-H.174 (g)

This regulation covers standards for connectors in gas/vapor service and light liquid service.

40CFR 63-H.174 (h) (1)

This regulation covers connectors in vapor/gas service and light liquid service.

40CFR 63-H.175

This regulation describes a quality improvement program for valves.

40CFR 63-H.176

This regulation covers the quality improvement program for pumps.

40CFR 63-H.178 (a)

This regulation describes the alternative means of emission limitation for batch processes.

40CFR 63-H.179

This section of the Equipment Leaks rule exempts equipment that has its emissions contained by a closed

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vent system that is routed to a control device from the leak detection and repair provisions of the rule. However, the closed-vent system itself and the control device must meet certain criteria.

40CFR 63-H.180

This regulation describes test methods and procedures.

40CFR 63-H.181 (a)

This regulation describes record keeping requirements.

40CFR 63-H.181 (b)

This regulation describes record keeping requirements.

40CFR 63-H.181 (c)

This regulation describes record keeping requirements.

40CFR 63-H.181 (d)

This regulations describes record keeping requirements.

40CFR 63-H.181 (e)

This paragraph describes the recordkeeping requirements when pressure tests on batch systems are used to determine compliance with the rule rather than the usual methods.

40CFR 63-H.181 (f)

This regulation describes record keeping requirements.

40CFR 63-H.181 (g)

This paragraph describes the recordkeeping requirements when closed-vent systems routed to acceptable control devices are used to comply with the rule, rather than leak detection and repair programs.

40CFR 63-H.181 (h)

This regulation describes record keeping requirements.

40CFR 63-H.182 (a)

This regulation describes record keeping requirements.

40CFR 63-H.182 (d)

This regulation describes record keeping requirements.

40CFR 63-I.190

Subpart I of 40 CFR 63 requires manufacturers of certain specific chemicals to comply with the Equipment Leaks portion of the "HON" only (Subpart H). They are not required to comply with Subpart G which controls emissions from storage vessels, transfer operations, wastewater operations, and process vents. This section describes the applicability and compliance dates of Subpart I.

40CFR 63-I.192

This regulation covers the National Emission Standards for Organic Hazardous Air Pollutants for Certain

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Processes Subject to the Negotiated Regulation for Equipment Leaks

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

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

6NYCRR 201-6.5 (f)

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

6NYCRR 201-6.5 (f) (1)

This regulation defines, in general terms, the operational flexibility provisions associated with alternate operating scenarios. Alternate operating scenarios refer to a range of operating conditions which are defined in the permit and which allow the source the flexibility to make specified changes without requiring a permit revision. These changes cannot violate any applicable requirement and must be tracked and recorded in a log at the source.

6NYCRR 201-6.5 (f) (2)

This regulation defines, in general terms, the protocol component of the operational flexibility provisions. Protocols are to specify how proposed compliance changes are to be evaluated with respect to applicable requirements and in particular Part 212. This regulation requires the protocol to include provisions for notifying the Department of changes, assessing control requirements, determining compliance with applicable rules and maintaining the source inventory.

6NYCRR 212 .11 (a)

Sources which are required to demonstrate compliance must notify the Department prior to testing and conduct testing using procedures acceptable to the Department

6NYCRR 212 .11 (b)

Sources equipped with incinerators, fixed-bed carbon adsorption units or refrigerated condensers as emission control equipment must install continuous monitors and data recorders for the parameters listed for each type of control equipment. Monitors must be operated at all times process equipment is operated and must be operated according to an approved quality assurance program.

6NYCRR 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.

6NYCRR 212 .4 (c)

This rule requires existing sources (in operation after July 1, 1973) of solid particulates with environmental rating of B or C which are not subject to Table 5 "Processes for which Permissible Emission Rate is Based on Process Weight, to be limited to a particulate emission rate not to exceed 0.05 grains per dry standard cubic foot. Emissions of solid particulates are controlled by a baghouse collector. The baghouse collector operates by blowing the contaminated gases through cloth bags. Clean air goes through the bag and the particulate drops on the impact side of the bag and is collected in hoppers

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and properly disposed. The collection efficiency is directly related to the pressure drop caused by the flow through the bags and the baghouse in general. The prescribed value is determined by the manufacturer. This value is monitored to insure that the baghouse is operating at peak efficiency. If the pressure increases rapidly it is an indication the unit is plugged; a sudden drop in pressure indicates that a bag has been broken and needs to be replaced. This is standard operating procedure for baghouses.

Where a wet scrubber is utilized for control, generally, the water flow enhances impingement of particles on to the walls of the scrubber where they are entrained in the water stream and washed out of the gas stream. The ideal flow rate of the water is determined by the manufacturer and monitoring this value is critical in determining whether or not the unit is functioning according to the original design criteria.

#### 6NYCRR 212 .6 (a)

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

#### 6NYCRR 212 .9 (b)

This section refers to Table 2 which specifies the degree of control required for Gases and Liquid Particulate Emissions (Environmental Rating of A, B, C or D) and Solid Particulate Emissions (Environmental Rating A or D) but excluding Volatile Organic Compound Emissions in the New York City Metropolitan Area.

#### 6NYCRR 219-5.2 (a)

This section requires that all incinerators having a capacity of 2,000 lb/hr or less and built and installed after January 1, 1968, must be designed, built, installed and operated to meet the particulate emission limit determined using Figure 1, Appendix 2 of Subpart 219-5.

#### 6NYCRR 219-5.3 (a)

This section requires that no incinerator, built or installed after January 26, 1967, regardless of size, will emit visible emissions having an average opacity during any six consecutive minutes of greater than 20 percent, under normal operating conditions.

#### 6NYCRR 219-5.5

This section sets forth action which the department may take, for abatement purposes, where it has reason to believe that an incinerator installation is violating the emission standards of Section 219-5.2, of Subpart 219-5.2.

#### 6NYCRR 225-1.2 (a) (1)

This regulation provides the specific limits for the amount of sulfur in the fuel being burned at the facility.

#### 6NYCRR 225-1.2 (a) (2)

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

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6NYCRR 226 .2

This reference provides the general requirements that owners and operators of solvent metal cleaning machines must comply with in addition to the other applicable requirements in this part. The general requirements include the proper storage, transfer, and disposal of solvents, the integrity of the equipment must be maintained, a summary of the operating procedures must be displayed, covers are to be closed when a degreaser is not used, and a record of solvent consumption must be maintained for one year.

6NYCRR 226 .3 (a)

This reference requires cold cleaning degreasers to have a cover, internal drainage system and a control system to limit VOC emissions from the unit unless the solvent being used has a low vapor pressure or the solvent is not heated above a specific temperature. A water blanket that lays on top of the solvent in the degreaser or a unit that is designed so that the height of the unit is much greater than the width of the opening, which will minimize VOC emissions, are considered acceptable methods of controlling VOC emissions.

6NYCRR 226 .4 (a)

This reference requires cold cleaning degreasers to have a system in place which allows the solvent on cleaned parts to drain for at least 15 seconds, or until dripping ceases, prior to removing the parts from the unit. This operating requirement will reduce the amount of VOCs that are carried out of the unit.

6NYCRR 226 .5

This reference allows the Department to accept a lesser degree of control than would be required if a source can satisfactorily show that the required control can not be achieved due to technological and economic reasons. The source owner must, however, apply reasonably available control technology and have a plan to develop technologies that will meet the control requirements of this section.

6NYCRR 227-1.2 (a) (2)

This rule limits particulate emissions to 0.20 pound per million Btu heat input from any stationary combustion installation with a maximum heat input capacity exceeding 50 million Btu per hour but no greater than 250 million Btu per hour using oil (other than distillate oil), coal tar, or any liquid fuel derived from coal.

6NYCRR 227-1.3

This regulation requires a limitation and compliance monitoring for opacity from a stationary combustion installation.

6NYCRR 227-1.3 (a)

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

6NYCRR 227-2.3 (g)

This condition states the need for the permittee to submit an operating plan to the Department. The plan will state how the facility will remain in compliance, procedures for monitoring unit operating parameters, etc.

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#### 6NYCRR 227-2.4 (c) (2)

This regulation requires boilers (fuel combustion units with a maximum heat input capacity greater than 50 million Btu per hour and equal to or less than 100 million Btu per hour that produce steam or heats water or any other heat transfer medium) to meet the following emission limits (listed in pounds NO<sub>x</sub> per million Btu) by May 31, 1985:

for Gas fuel -	0.10
for Distillate Oil -	0.12
for Residual Oil -	0.30

Compliance with these emission limits are determined with a 1-hour average in accordance with section 227-2.6(a)(4). If CEMs are used to determine compliance, the requirements of 227-2.6(b) apply, including the use of a 24-hour averaging period.

Also this monitoring requirement describes the stack testing required for all mid-sized boilers subject to NSPS that burn fuel oil; must have an initial stack test. In addition each mid-sized boiler burning fuel oil must be stack tested at least once per permit term. This requirement was added to determine compliance with Title V. The initial test can suffice for the once per permit term if it occurs during the permit term.

#### 6NYCRR 227-2.4 (d)

This rule specifies that the reasonably available control technology (RACT) requirement for small boilers (< or = 50 million BTUs/hr) at Title V facilities consists of an annual tune-up.

#### 6NYCRR 227-2.6 (c) (1)

This rule sets forth the stack test requirements for submission of a protocol, submission dates and location of sampling devices.

#### 6NYCRR 231-2.

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

#### 6NYCRR 233 .3 (a)

This rule defines the control requirements for pharmaceutical or cosmetics manufacturing process for control of volatile organic compound emissions from reactors, extractors, distillation operations, crystallizers, centrifuges, and vacuum dryers which have an emission rate potential of more than 15 pounds per day.

#### 6NYCRR 233 .3 (b)

This rule defines the standards for Air Dryers and production equipment exhaust systems.

#### 6NYCRR 233 .3 (c)

This condition reduces the emissions of volatile organic compounds (VOC's) from pharmaceutical and cosmetic plants by requiring additional equipment to keep VOC's from escaping during transfer from trucks or railcars to storage tanks. Specifically, if the VOC has a high enough vapor pressure, and the storage tank is of a certain size, then a vapor balancing system is required.

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6NYCRR 233 .3 (d)

This condition reduces the fugitive releases of volatile organic compounds (VOC's) by requiring that all storage tanks storing VOC's with a high vapor pressure be equipped with conservation vents that trap the chemicals inside.

6NYCRR 233 .3 (e)

This condition reduces the emissions of volatile organic compounds from centrifuges and filters by requiring that in most cases they must be enclosed except when an operator needs access.

6NYCRR 233 .3 (f)

This condition reduces the emissions of volatile organic compounds (VOC's) by requiring that all in-process tanks containing VOC's have covers on the openings except when an operator needs to access the inside of them.

6NYCRR 233 .3 (g)

This condition reduces the emissions of volatile organic compounds (VOC's) by requiring the facility to repair all liquid leaks containing VOC's no later than 15 days after discovering the leak. The facility is allowed to wait until the process is shut down if it is impossible to fix it otherwise.

6NYCRR 233 .4

This condition requires the facility to follow the notification, protocol, and test procedures of Part 202 when testing or monitoring pharmaceutical processes and specifies that test procedures be approved by the Department and be consistent with the test methods in appendix A of 40 CFR 60.

6NYCRR 233 .4 (d)

Sources equipped with incinerators, fixed-bed carbon adsorption units or refrigerated condensers as emission control equipment must install continuous monitors and data recorders for the parameters listed for each type of control equipment. Monitors must be calibrated and operated at all times process equipment and control equipment are operated.

6NYCRR 233 .5

This section lists the records that a facility subject to the Pharmaceutical and Cosmetic Manufacturing Processes rule (6NYCRR, Part 233) must keep in order to prove that the rule is continuously being complied with. These records include the vapor pressures of the volatile organic compounds used in the process(es), certain parameters of any control device employed to reduce VOC emissions, and information regarding any leaks that were found in any of the process equipment. All records must be kept for at least five years.

**Compliance Certification**

Summary of monitoring activities at BRISTOL-MYERS SQUIBB COMPANY:

<b>Location</b>	<b>Type of Monitoring</b>	<b>Cond No.</b>
<b>Facility/EU/EP/Process/ES</b>		
FACILITY	monitoring of process or control device	19

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1-CMBUS/-/C34	record keeping/maintenance procedures	58
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	operations	
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	operations	
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	parameters as surrogate	
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FACILITY	work practice involving specific	193
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1-CMBUS/02004	monitoring of process or control device	79
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FACILITY	record keeping/maintenance procedures	17

**Basis for Monitoring**

The monitoring activities at Bristol-Myers Squibb are as follows:

6 NYCRR 201-6.5(c)(3) requires that any required monitoring be submitted at a minimum of every 6 months based on a calendar year. This condition applies to all monitoring where the reporting requirement states "Upon Request by the Regulatory Agency."

6 NYCRR 201-6.5(e) requires compliance certification for the entire facility on an annual basis, all conditions shown in the permit and any applicable requirements must be addressed and certified to as well as noncompliance reported.

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6 NYCRR 201-6.5(f) relates to the Operational Flexibility Plan and the reporting requirements for changes made.

6 NYCRR 201-6.5(f)(1) describes the Alternative Operating Scenarios that are approved and the process for making operational changes and documentation of those changes.

6 NYCRR 201-6.5(f)(2) describes the approved Protocol for Change which addresses changes, that would be considered major modifications.

6 NYCRR 202-2.1 requires submission of annual Emission Statements on the 15th of April every year.

6 NYCRR 212.4(a) requires emission sources to be controlled, based on emission rate potential, to a varying degrees of air cleaning. Control efficiencies for many air cleaning devices are determined by maintaining certain levels of operating parameters, such as outlet gas temperature in refrigerated condensers, liquid flow rate or pressure drop thru scrubbers and pressure drops across fabric filters. Operating parameters and control efficiencies have been established by stack tests, engineering calculations, and process operating experience. BMS operates many different types of air cleaning devices and are required to monitor and meet stated operating parameters when the control equipment is operating, in order to continually demonstrate the required degrees of air cleaning are achieved at all times.

6 NYCRR 212.4(c) limits emissions of solid particulates. Monitoring rational the same as for 6 NYCRR 212.4(a) above.

6 NYCRR 212.9(b) - Part 212.9(b), Table 2 specifies a minimum degree of air cleaning is required for hydrogen sulfide, based on the emission rate potential of hydrogen sulfide and an environmental rating of 'B' assigned by the department. The source owner is required to conduct a stack test at least once per permit term to demonstrate the degree of air cleaning achieved by the control requirement.

6 NYCRR 219-5.2(a) requires an incinerator to meet a particulate emission limit specified, in Figure 1, Appendix 2 of 6 NYCRR Part 219, based on a given charge rate of the incinerator. The applicable limits in Figure 1 are based on a curve on a graph, and therefore, the permissible emission rate for particulates changes as the charge rate of the incinerator changes. The source owner is required to conduct a stack test at least once per permit term to assure the incinerator is operating in compliance with these emission limits.

6 NYCRR 219-5.3(a) limits opacity to less than 20%. To demonstrate compliance the facility must do daily observations of the incinerator stack to determine whether or not visible emissions are present. If visible emission are observed for two consecutive days, the facility must perform an EPA method 9 visible emissions compliance test.

6 NYCRR 225-1.2(a)(1) limits the sulfur content to 2.0% for Federal enforcement and 1.5% for State enforceability.

6 NYCRR 226.3(a) - An easily operated cover and internal drainage system are part of this cold cleaning equipment's factory design and construction, and therefore, facility specific monitoring is not required to

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assure compliance with these requirements. The facility must also continuously demonstrate that a control system is not required by maintaining records that the solvents used in this cold cleaner degreaser are not heated and are below a vapor pressure of 33mm Hg at 38 degrees centigrade. These equipment construction, operation and recordkeeping are considered sufficient to assure compliance with this applicable requirement.

6 NYCRR 226.4(a) - Clearly posting operating instructions for draining cleaned parts is considered sufficient to keep operators aware and complying with this operating requirement.

6 NYCRR 227-1.3(a) limits opacity to less than 20% except that one 6-minute average period of not more than 27 %. When burning fuel oil the facility must do daily observations of the boiler stack to determine whether or not visible emissions are present. If visible emission are observed for two consecutive days, the facility must perform an EPA method 9 visible emissions compliance test.

6 NYCRR 227-2.4(d) requires annual combustion equipment tune-up.

6 NYCRR 227-2.6(c)(1) requires the owner to submit a compliance test schedule and protocol.

6 NYCRR 227-2.6(c)(2) requires all mid-sizes boilers subject to NSPS that burn fuel oil to have an initial stack test. In addition each mid-sized boiler burning fuel oil must be stack tested at least once per permit term. This requirement was added to determine compliance with Title V requirements. The initial test can suffice for the once per permit term if it occurs during the permit term.

6 NYCRR 231-2 requires a cap on VOC for Building 75 as well as EP 25N00 of less than 40 tons/ year each.

6 NYCRR Part 233.3(a) requires control of volatile organic compound emissions from reactors, extractors, distillation operations, crystallizers, centrifuges, and vacuum dryers which have an emission rate potential of more than 15 pounds per day. Control efficiencies for many air cleaning devices are determined by maintaining certain design levels of operating parameters, such as outlet gas temperature in refrigerated condensers, liquid flow rate or pressure drop thru scrubbers and pressure drops across fabric filters. Operating parameters and control efficiencies have been established by stack tests, engineering calculations, and process operating experience. BMS operates many different types of air cleaning devices and are required to monitor, and meet, stated operating parameters when the control equipment is operating, in order to continually demonstrate the required degrees of air cleaning are achieved at all times.

6 NYCRR Part 233.3(b) - The monitoring rationale and requirements are the same as 6 NYCRR Part 233.3(a) above.

6 NYCRR Part 233.3(c) requires a vapor balance system or equivalent control for the transfer of some volatile organic compounds from trucks and railcars into large storage tanks. A vapor balance system is typically a series of pipes that connect the storage tank to the truck or railcar. A vapor balance system is installed at the facility to contain vapors during filling of some of BMS's storage tanks. Since by its design a vapor balance system is either installed and working, or one has not been installed at all, no additional monitoring is needed to continually demonstrate this fact.

6 NYCRR 233.3(d) requires storage tanks storing VOCs with a vapor pressure greater than 1.5 psi at 20 degrees C be equipped with pressure/conservation vents, unless more effective control is used.

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Conservation vents are used on many storage tanks at BMS. Tanks storing VOCs exceeding these limits either have the require conservation vents or not. Tanks equipped with conservation vents do not need repeated monitoring to determine this fact. In their annual compliance certification, BMS must certify that required tanks are equipped with pressure/vacuum conservation vents.

6 NYCRR Part 233.3(f) requires in-process tanks to have covers installed on openings and that the openings be covered unless production, sampling, maintenance, or inspection requires operator access. The department has determined that continuous monitoring is not necessary to assure compliance with these requirements. This is a defined work practice and equipment requirement. Additionally, when in use many of these in-process tanks are heated, cooled, agitated or under pressure or vacuum and the closing of openings is necessary for production purposes making this requirement somewhat of a self regulating activity.

6 NYCRR 233.3(g) requires all observed leaks of liquid VOCs be repaired with 15 days or when the process is shut down. A Record Keeping requirement is included to monitor that the facility is logging and completing repairs of leaking components according to the time frames of the applicable requirement. Summaries of these records must be submitted with the facility's semi-annual monitoring reports.

40 CFR 52.21 Subpart A caps the facility emissions at 133.4 tons/year on NO<sub>x</sub> when and if stack tests meet the emission limits for NO<sub>x</sub>, otherwise the limit will remain capped at less than 100 tons/year.

40 CFR 60.116b(a) requires records be retained for at least 2 years. Since this a federal applicable requirement it has been included in the permit. However, 40 CFR 70 and 6 NYCRR Part 201 requires all Title V facilities to maintain all records for at least 5 years. Therefore, the 2 year recordkeeping requirement of 40 CFR 60.116b(a) is superceded by the more strigent requirements of 40 CFR 70 and 6 NYCRR Part 201. A 5 year records retention requirement has been included in the Title V permit.

40 CFR 60.48c(f)(1) Subpart Dc requires statement from fuel oil supplier that fuel meets required specifications.

40 CFR 60.48c(g) Subpart Dc requires daily records of fuel use.

40 CFR 60.43(c)(c) Subpart Dc requires that Opacity be less than 20% except that one 6-minute average period of not more than 27 %. When burning fuel oil the facility must do daily observations of the boiler stack to determine whether or not visible emissions are present. If visible emission are observed for two consecutive days, the facility must perform an EPA method 9 visible emissins compliance test.

40 CFR 52.21, Subpart A limits NO<sub>x</sub> emissions to less than 40 tons/year for boiler #8, #9.

40 CFR 52.21 Subpart A limits the Sulfur Dioxide, as well as NO<sub>x</sub> emissions to less than 40 tons/year each for the WWTP boiler.

40 CFR 63 F and H define the monitoring requirements for the Hazardous Organic National Emission Standards for Hazardous Air Pollutants (HON). The HON deals with leaks, monitoring for leaks, leak repairs and testing.

6 NYCRR 212 requires specific parameters for operating specific control equipment throughout the

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plant.

6 NYCRR 233 requires specific control parameters for specific equipment through out the plant.

40 CFR 63 GGG requires existing affected pharmaceutical facilities to be in compliance with the standards for hazardous air pollutants (HAPs) emissions by October 21, 2002. The source owner is required to submit a precompliance report at least 6 months prior to the compliance date detailing how the facility will demonstrate compliance with the standards. Following the compliance date a Notification of Compliance Status Report is required to be submitted within 150 days after the compliance date. A condition has been included in the Title V permit which requires the facility to bring all affected sources into compliance with the applicable provisions of Subpart GGG by the compliance date and to submit all reports and/or notifications required by 40 CFR 63, Subpart GGG and 40 CFR 63, Subpart A (General Provisions). Additionally, in order to incorporate the methods of compliance chosen, parameters monitored, parameter ranges set, etc. into the Title V permit, the source owner is required to submit an application to modify the permit at the same time the Notice of Compliance Status is submitted. This application will be considered a significant permit modification.