

**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 8-0704-00025/00059**



**04/20/2007**

**Facility Identification Data**

Name: KENNEDY VALVE DIV MC WANE INC  
Address: 1021 EAST WATER ST  
ELMIRA, NY 14901

**Owner/Firm**

Name: MCWANE INC  
Address: 2900 US HWY 280  
BIRMINGHAM, AL 35223, USA  
Owner Classification: Corporation/Partnership

**Permit Contacts**

Division of Environmental Permits:  
Name: ROGER T MCDONOUGH  
Address: 6274 EAST AVON LIMA RD  
AVON, NY 14414-9519

Division of Air Resources:  
Name: THOMAS G WICKERHAM  
Address: 6274 EAST AVON-LIMA ROAD  
AVON, NY 14414-9519  
Phone:5852262466

Air Permitting Contact:  
Name: DAVID CROWLE  
Address: KENNEDY VALVE DIV MCWANE INC  
1012 E WATER ST  
ELMIRA, NY 14901  
Phone:6077342211

**Permit Description**

**Introduction**

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

**Summary Description of Proposed Project**

Kennedy Valve manufactures valves and hydrants used primarily in potable water systems. Kennedy operates a machine shop and an iron foundry. Some products are coated using dip, spray, or powder coat

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processes. This application represents normal facility operations. For additional operational flexibility, Kennedy valve is proposing to incorporate the provisions of NY regulation 201-6.5(f) regarding operational flexibility and off-permit changes in the Title V permit.

**Attainment Status**

KENNEDY VALVE DIV MC WANE INC is located in the town of ELMIRA in the county of CHEMUNG.

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.)

<b>Criteria Pollutant</b>	<b>Attainment Status</b>
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone* ATTAINMENT)	TRANSPORT REGION (NON-
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

\* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.  
\*\* NOx has a separate ambient air quality standard in addition to being an ozone precursor

**Facility Description**

Kennedy Valve operates a machine shop (SIC 3491) and an iron foundry (SIC 3321) to manufacture parts used to make valves and hydrants.

**Permit Structure and Description of Operations**

The Title V permit for KENNEDY VALVE DIV MC WANE INC 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

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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.

KENNEDY VALVE DIV MC WANE INC is defined by the following emission unit(s):

Emission unit E00001 - Melting: Scrap metal is preheated and then charged into one of three coreless induction furnaces for melting. Molten metal is tapped from the furnace into a treatment ladle for inoculation as required by the production order. This emission unit is located in the foundry melt department and emissions are ducted to emission point 00088.

Emission unit E00001 is associated with the following emission points (EP):  
00088

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

Process: 001 is located at MELT DEPARTMENT, Building F - Scrap metal (returns, iron machinery, pig iron, etc.) is placed in a Vanetta gas-fired preheater. The scrap is heated to about 1100 degrees f prior to charging into the melting furnace.

Process: 002 is located at MELT DEPARTMENT, Building F - Preheated scrap is placed in one of the three coreless induction furnaces for melting.

Process: 003 is located at MELT DEPARTMENT, Building F - Molten iron is transferred into a treatment ladle. Alloys are added as needed for desired metal chemistry. As required, magnesium is also added to the ladle to make ductile iron.

Emission unit E00002 - A ladle containing molten metal is moved to the pouring line where the metal is poured into sand molds. From the pouring station, the filled molds travel by conveyor through the cooling zone.

Emission unit E00002 is associated with the following emission points (EP):  
00067, 00068, 00069, 00070, 00071, 00090, 00091

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

Process: 004 is located at POURING LINE, Building E - The treatment ladle is moved to the pouring line where molten metal is poured into sand molds with the cores.

Process: 005 is located at COOLING LINE, Building E - Sand molds containing molten iron are conveyed on moving rollers while the iron solidifies.

Emission unit E00003 - Molds, containing solidified iron, after cooling, are directed to the shakeout system. Sand is then separated from the castings and screened (sizing). The sand is then returned to the

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muller where it is mixed with clay and water and reused in making molds. Recycled conditioned sand is hydraulically compressed into molds.

Emission unit E00003 is associated with the following emission points (EP):  
00089

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

Process: 006 is located at SHAKEOUT AREA, Building D - Sand molds containing solidified iron castings are directed to a shakeout machine which separates the sand from the castings. The castings are then conveyed to a rotary drum for further sand removal.

Process: 007 is located at Building D - Sand which is separated from the castings is directed through a screening station to remove core butts and fused sand. It is then conveyed to the muller where it is mixed with clay and water prior to reuse in the mold making.

Process: 008 is located at MOLD LINE, Building D - Recycled sand from the sand system is used to produce sand molds.

Emission unit E00005 - Sand cores are made using either a "shell core" method, a Novaset process or an Isocure process. Cores are washed in a water based material to improve surface hardness. Shell and phenolic ester cold box (Novaset) or phenolic urethane cold box (Isocure) emissions are captured and released through emission point E-00085.

Emission unit E00005 is associated with the following emission points (EP):  
00085

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

Process: 011 is located at MOLD DEPARTMENT, Building E - Resin coated sand is purchased in large tote bags and transferred as needed into hoppers over the core machines. The sand is metered into the machine where heat is applied to set the cores. The cores are washed in a water based material to improve surface hardness.

Process: 012 is located at MOLD DEPARTMENT, Building E - Uncoated sand is metered into a core machine where the binder chemicals, a non-hazardous co-reactant, and pressure are used to form the cores. The cores are washed in a water based material to improve surface hardness.

Process: 013 is located at Building C - Uncoated sand is metered into a core machine where pressure and a catalyst (triethylamine or dimethylisopropylamine) is used to activate the binder and set the cores. The cores are washed in a water based material to improve surface hardness.

Emission unit E00006 - Castings and/or finished products are coated using dip, spray, or powder coat processes.

Emission unit E00006 is associated with the following emission points (EP):  
00017, 00018, 00056, 00059, 00077

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

Process: 014 is located at Building E - Castings are manually dipped into a low voc primer that is Part 228 compliant.

Process: 015 is located at Building H - Castings are painted in spray booths with dry filters and exhaust fans.

**Title V/Major Source Status**

KENNEDY VALVE DIV MC WANE INC is subject to Title V requirements. This determination is

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based on the following information:

This facility became major when new emission factors demonstrated that emissions of carbon monoxide from the pouring operations might exceed the 100 tons per year major source threshold.

**Program Applicability**

The following chart summarizes the applicability of KENNEDY VALVE DIV MC WANE INC with regards to the principal air pollution regulatory programs:

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

**NOTES:**

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

**NSR** New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary 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)

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**MACT** Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

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

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

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

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

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

**Compliance Status**

Facility is out of compliance with specific requirements (see attached compliance schedule)  
Compliance Schedule:

<b>Location</b>	<b>Short Description</b>	<b>Regulation</b>
<b>Facility/EU/EP/Process/ES</b> FACILITY	Gaseous emissions.	6NYCRR 216.5(a)(2)

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Compliance Discussion:

KENNEDY VALVE DIV MC WANE INC is in violations of the following requirement(s): A reasonably available control technology (RACT) analysis for VOC emissions is required under the provisions of 6NYCRR Part 216. This analysis was not submitted with the Title V application as required. An NOV has been issued and the document must be submitted to the Department within 30 days of the issuance of the initial Title V permit.

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
3321	GRAY IRON FOUNDRIES
3491	INDUSTRIAL VALVES

SCC Codes

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

SCC Code	Description
3-04-003-31	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - GREY IRON FOUNDRIES Casting Shakeout
3-04-003-25	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - GREY IRON FOUNDRIES Castings Cooling
3-04-003-71	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - GREY IRON FOUNDRIES Core Machines/Other
3-04-003-03	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - GREY IRON FOUNDRIES Electric Induction Furnace
3-04-003-98	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - GREY IRON FOUNDRIES Other Not Classified
3-04-003-99	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - GREY IRON FOUNDRIES Other Not Classified
3-04-003-20	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - GREY IRON FOUNDRIES
3-04-003-50	Pouring/Casting SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - GREY IRON FOUNDRIES

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3-04-003-70 Sand Grinding/Handling  
 SECONDARY METAL PRODUCTION  
 SECONDARY METAL PRODUCTION - GREY IRON FOUNDRIES  
 Shell Core Machine

**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
000108-38-3	1,3 DIMETHYL BENZENE (HAP)	> 0	but < 10 tpy
000090-12-0	1-METHYLNAPHTHALENE (HAP)	> 0	but < 10 tpy
000098-86-2	1-PHENYLETHANONE (HAP)	> 0	but < 10 tpy
000091-57-6	2-METHYL NAPHTHALENE	> 0	but < 2.5 tpy
000095-48-7	2-METHYL-PHENOL (HAP)	> 0	but < 10 tpy
000075-07-0	ACETALDEHYDE (HAP)	> 0	but < 10 tpy
000062-53-3	ANILINE (HAP)	> 0	but < 10 tpy
007440-36-0	ANTIMONY (HAP)	> 0	but < 10 tpy
007440-38-2	ARSENIC (HAP)	> 0	but < 10 tpy
000121-69-7	BENZENAMINE, N, N-DIMETHYL (HAP)	> 0	but < 10 tpy
000071-43-2	BENZENE (HAP)	> 0	but < 10 tpy
000098-82-8	BENZENE, (1-METHYLETHYL) (HAP)	> 0	but < 10 tpy
000095-63-6	BENZENE, 1,2,4-TRIMETHYL-	> 0	but < 2.5 tpy
000095-47-6	BENZENE, 1,2-DIMETHYL (HAP)	> 0	but < 10 tpy
007440-41-7	BERYLLIUM (HAP)	> 0	but < 10 tpy
007440-43-9	CADMIUM (HAP)	> 0	but < 10 tpy
000630-08-0	CARBON MONOXIDE	>= 100 tpy	but < 250 tpy
007440-47-3	CHROMIUM (HAP)	> 0	but < 10 tpy
007440-48-4	COBALT (HAP)	> 0	but < 10 tpy
000132-64-9	DIBENZOFURAN (HAP)	> 0	but < 10 tpy
000111-76-2	ETHANOL, 2-BUTOXY-	> 0	but < 2.5 tpy
000100-41-4	ETHYLBENZENE (HAP)	> 0	but < 10 tpy

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000050-00-0	FORMALDEHYDE (HAP)	> 0 but < 10 tpy
0NY100-00-0	HAP	49800
007439-92-1	LEAD (HAP)	> 0 but < 10 tpy
007439-96-5	MANGANESE (HAP)	> 0 but < 10 tpy
007439-97-6	MERCURY (HAP)	> 0 but < 10 tpy
000078-93-3	METHYL ETHYL KETONE (HAP)	> 0 but < 10 tpy
000101-68-8	METHYLENE BISPHENYL ISOCYANATE (HAP)	> 0 but < 10 tpy
000091-20-3	NAPHTHALENE (HAP)	> 0 but < 10 tpy
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS (HAP)	> 0 but < 10 tpy
000098-95-3	NITROBENZENE (HAP)	> 0 but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN	>= 10 tpy but < 25 tpy
0NY075-00-0	PARTICULATES	>= 100 tpy but < 250 tpy
000108-95-2	PHENOL (HAP)	> 0 but < 10 tpy
000108-39-4	PHENOL, 3-METHYL (HAP)	> 0 but < 10 tpy
000106-44-5	PHENOL, 4-METHYL (HAP)	> 0 but < 10 tpy
0NY075-00-5	PM-10	>= 50 tpy but < 100 tpy
000108-18-9	PROPANAMINE, N- (1-METHYLETHYL) - C5, H14, N2	>= 2.5 tpy but < 10 tpy
000123-38-6	PROPIONALDEHYDE (HAP)	> 0 but < 10 tpy
007782-49-2	SELENIUM (HAP)	> 0 but < 10 tpy
000100-42-5	STYRENE (HAP)	> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE	> 0 but < 2.5 tpy
000108-88-3	TOLUENE (HAP)	> 0 but < 10 tpy
0NY998-00-0	VOC	>= 100 tpy but < 250 tpy
001330-20-7	XYLENE, M, O & P MIXT. (HAP)	> 0 but < 10 tpy
000106-42-3	XYLENE, PARA- (HAP)	> 0 but < 10 tpy

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

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

**Item B: Public Access to Recordkeeping for Title V Facilities - 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 C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**

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

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

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

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

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

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

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

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

**Item G: Cessation or Reduction of Permitted Activity Not a Defense - 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 H: 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 I: Severability - 6 NYCRR Part 201-6.5(a)(9)**

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

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

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

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

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

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

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

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

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in

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advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

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

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

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

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

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Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Regulatory Analysis**

Location Facility/EU/EP/Process/ES	Regulation	Short Description	Condition
FACILITY	ECL 19-0301	Powers and Duties of the Department with respect to air pollution control	61
FACILITY	40CFR 63-EEEE	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries	28, 29
E-00006	40CFR 63-MMMM.3890 (b) (1)	Misc. Metal Parts & Products Surface Coating NESHAP - Emission Limits - Existing General Use Coating	52
E-00006	40CFR 63-MMMM.3891 (b)	Misc. Metal Parts & Products Surface Coating Compliance Options - Emission rate without add-on controls	53
E-00006	40CFR 63-MMMM.3901	Misc. Metal Parts & Products Surface Coating NESHAP - General Requirements	54
E-00006	40CFR 63-MMMM.3910 (c)	Misc. Metal Parts & Products Surface Coating NESHAP - Reporting requirements	55
E-00006	40CFR 63-MMMM.3930	Recordkeeping for the emission rate without add-on controls option	56
E-00006	40CFR 63-MMMM.3931	Misc. Metal Parts & Products Surface Coating NESHAP - Recordkeeping requirements	57
E-00006	40CFR 63-MMMM.3950	Initial Compliance Demonstration	58
FACILITY	40CFR 68	Chemical accident prevention provisions	22
FACILITY	40CFR 82	Protection of Stratospheric Ozone	36
FACILITY	40CFR 82-F	Protection of Stratospheric Ozone - recycling and emissions reduction	23
FACILITY	6NYCRR 200.6	Acceptable ambient air quality.	1
FACILITY	6NYCRR 200.7	Maintenance of equipment.	10
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	62

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FACILITY	6NYCRR 201-1.7	Recycling and Salvage	11
FACILITY	6NYCRR 201-1.8	Prohibition of reintroduction of collected contaminants to the air	12
FACILITY	6NYCRR 201-3.2	Exempt Activities	24
FACILITY	6NYCRR 201-3.2(a)	Exempt Activities - Proof of eligibility	13
FACILITY	6NYCRR 201-3.3(a)	Trivial Activities - proof of eligibility	14
FACILITY	6NYCRR 201-6	Title V Permits and the Associated Permit Conditions	25, 37, 38
FACILITY	6NYCRR 201-6.5(a) (4)	General conditions	15
FACILITY	6NYCRR 201-6.5(a) (7)	General conditions	
Fees 2			
FACILITY	6NYCRR 201-6.5(a) (8)	General conditions	16
FACILITY	6NYCRR 201-6.5(c)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	3
FACILITY	6NYCRR 201-6.5(c) (2)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	4
FACILITY	6NYCRR 201-6.5(c) (3) (ii)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	5
FACILITY	6NYCRR 201-6.5(d) (5)	Compliance schedules	17
FACILITY	6NYCRR 201-6.5(e)	Compliance Certification	6
FACILITY	6NYCRR 201-6.5(f)	Operational flexibility	26
FACILITY	6NYCRR 201-6.5(f) (6)	Off Permit Changes	18
FACILITY	6NYCRR 201-7.1	Federally Enforceable Emissions Caps	27, 28, 29
FACILITY	6NYCRR 202-1.1	Required emissions tests.	19
FACILITY	6NYCRR 202-2.1	Emission Statements - Applicability	7
FACILITY	6NYCRR 202-2.5	Emission Statements - record keeping requirements.	8
FACILITY	6NYCRR 211.2	General Prohibitions - air pollution prohibited.	63
FACILITY	6NYCRR 211.3	General Prohibitions - visible emissions limited	20, 21
E-00005/00085	6NYCRR 212.4(a)	General Process Emission Sources - emissions from new sources and/or modifications	64
FACILITY	6NYCRR 215	Open Fires	9
FACILITY	6NYCRR 216.3	Particulate emissions.	31
E-00001/00088	6NYCRR 216.3	Particulate emissions.	39, 40, 41
E-00003/00089	6NYCRR 216.3	Particulate emissions.	42, 43, 44
FACILITY	6NYCRR 216.4	Opacity of emissions.	30, 32
FACILITY	6NYCRR 216.5(a) (2)	Gaseous emissions.	33
E-00006	6NYCRR 228.1(d)	Will remain subject	45
E-00006	6NYCRR 228.10	Handling, storage and disposal of VOCs	51
FACILITY	6NYCRR 228.3(a)	Recordkeeping, reports	34

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		for VOCs	
E-00006	6NYCRR 228.4	Opacity	46
E-00006	6NYCRR 228.5 (a)	VOC recordkeeping by the facility	47
E-00006	6NYCRR 228.5 (b)	Use of Methods 311 or 24.	48
E-00006	6NYCRR 228.5 (c)	Alternate sampling and analysis methods	49
E-00006	6NYCRR 228.5 (d)	Department Access to Obtain Samples	50
FACILITY	6NYCRR 228.6	Prohibition of sale	35
E-00006/-/014	6NYCRR 228.7	Table 1	59
E-00006/-/015	6NYCRR 228.7	Table 1	60

**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 200-.6

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

6NYCRR Part 200-.7

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

6NYCRR Part 201-1.4

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

6NYCRR Part 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6NYCRR Part 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6NYCRR Part 201-3.2(a)

An owner and/or operator of an exempt emission source or unit may be required to

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

6NYCRR Part 201-3.3(a)

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

6NYCRR Part 201-6

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 201-6.5(a)(4)

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

6NYCRR 201-6.5(a)(7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6NYCRR 201-6.5(a)(8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this

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permit, including copying records, sampling and monitoring, as necessary.

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 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(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(d)(5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

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 201-6.5(f)(6)

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

6NYCRR Part 202-1.1

This regulation allows the department the discretion to require an emission test for

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the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

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.

6 NYCRR Part 211.3

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

6 NYCRR Part 215

Prohibits open fires at industrial and commercial sites.

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.

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**Facility Specific Requirements**

In addition to Title V, KENNEDY VALVE DIV MC WANE INC has been determined to be subject to the following regulations:

40CFR 63-EEEEEE

This rule regulates hazardous air pollutant (HAP) emissions from iron and steel manufacturing processes. The facility is limiting its emissions of HAPs in order to cap out of applicability to this regulation

40CFR 63-MMMM.3890 (b) (1)

This regulation sets the emission limit for organic Hazardous Air Pollutants (HAPs) at existing general use affected sources.

40CFR 63-MMMM.3891 (b)

This regulation applies to a facility that has chosen to comply with the emission limit by meeting an "emission rate without add-on controls" by measuring the amount of organic HAPs per amount of coating solids used (in kg/l or lb/gal). This is one of three options available for compliance.

40CFR 63-MMMM.3901

This requirement refers to Table 2 of the Subpart which outlines the various general requirements in 40 CFR 63 Subpart A (63.1 through 63.15) that apply to this facility

40CFR 63-MMMM.3910 (c)

This regulation describes the requirements for the content and submittal of notifications of initial compliance.

40CFR 63-MMMM.3930

This regulation defines the requirements for recordkeeping for each compliance option under Subpart MMMM

40CFR 63-MMMM.3931

This regulation specifies the length of time records must be kept under Subpart MMMM

40CFR 63-MMMM.3950

This regulation describes the period of initial compliance demonstration and the contents of the demonstration for the "Emission Rate without Add-On Controls" compliance option.

40CFR 82

The purpose of this regulation is to implement standards on the protection of stratospheric ozone through the control of chlorofluorocarbons (CFCs).

6NYCRR 201-3.2

This section describes the proof of eligibility criteria for determining whether an activity is exempt from the requirement to obtain an air permit or registration. It also provides the list of specific activities which are exempt.

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6NYCRR 201-6.5 (f)

This regulation defines in general terms under what circumstances changes would be allowed without a permit modification. The condition in this permit defines a protocol under which certain changes may be made and specific procedures for notification and reporting of those changes.

6NYCRR 201-7.1

This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is on hazardous air pollutants with a maximum of 9.9 tons per year for individual HAP or 24.9 tons per year for any combination of HAPs. It will be achieved through both recordkeeping and a production limit.

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 216.3

This section contains the particulate emission limitations for various confined processes in the iron and/or steel industry.

6NYCRR 216.4

The opacity of emissions from iron and/or steel processes are limited by this section.

6NYCRR 216.5 (a) (2)

This rule requires the facility to apply reasonably available control technology (RACT) for volatile organic compounds (VOC) emitted from iron and steel processes. An evaluation determining RACT is required.

6NYCRR 228.1 (d)

This citation states that any coating line that is or becomes subject to the provisions of 6 NYCRR Part 228, will remain subject to these provisions even if the annual potential to emit volatile organic compounds for the facility later falls below the thresholds set forth in this regulation.

6NYCRR 228.10

This citation specifies the procedures and protocols for the handling, storage and disposal of volatile organic compounds.

6NYCRR 228.3 (a)

This citation prohibits the use of coatings that exceed the maximum permitted pounds of volatile organic compounds per gallon, unless a coating system meeting certain requirements is used.

6NYCRR 228.4

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

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6NYCRR 228 .5 (a)

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

6NYCRR 228 .5 (b)

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

6NYCRR 228 .5 (c)

This citation allows alternate sampling and analysis methods to be used, subject to the approval of the Department and the Administrator.

6NYCRR 228 .5 (d)

This citation allows representatives of the Department to obtain coating samples during reasonable business hours, for the purpose of determining compliance.

6NYCRR 228 .6

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

6NYCRR 228 .7

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

**Compliance Certification**

Summary of monitoring activities at KENNEDY VALVE DIV MC WANE INC:

<b>Location Facility/EU/EP/Process/ES</b>	<b>Type of Monitoring</b>	<b>Cond No.</b>
E-00006	work practice involving specific operations	52
E-00006	record keeping/maintenance procedures	53
E-00006	record keeping/maintenance procedures	55
E-00006	record keeping/maintenance procedures	56
E-00006	record keeping/maintenance procedures	58
FACILITY	record keeping/maintenance procedures	24

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FACILITY	record keeping/maintenance procedures	5
FACILITY	record keeping/maintenance procedures	6
FACILITY	record keeping/maintenance procedures	26
FACILITY	record keeping/maintenance procedures	28
FACILITY	work practice involving specific operations	29
FACILITY	record keeping/maintenance procedures	7
FACILITY	monitoring of process or control device parameters as surrogate	21
E-00005/00085	monitoring of process or control device parameters as surrogate	64
E-00001/00088	record keeping/maintenance procedures	39
E-00001/00088	record keeping/maintenance procedures	40
E-00001/00088	intermittent emission testing	41
E-00003/00089	record keeping/maintenance procedures	42
E-00003/00089	record keeping/maintenance procedures	43
E-00003/00089	intermittent emission testing	44
FACILITY	monitoring of process or control device parameters as surrogate	30
FACILITY	intermittent emission testing	32
E-00006	record keeping/maintenance procedures	51
E-00006	record keeping/maintenance procedures	46
E-00006	record keeping/maintenance procedures	47
E-00006	record keeping/maintenance procedures	49
E-00006/-/014	work practice involving specific operations	59
E-00006/-/015	work practice involving specific operations	60

**Basis for Monitoring**

Condition 5: 40 CFR 70 and 6NYCRR Part 201-6 require semiannual reporting of the status of all monitoring conditions.

Condition 6: 40 CFR 70 and 6NYCRR Part 201-6 require submittal of an Annual Compliance Report.

Condition 7: 6NYCRR Part 202 requires an Annual Emission Statement to be filed.

Condition 26: This condition gives the facility the capability to make certain changes (operational flexibility) that will not require a permit modification as long as a protocol is met.

Condition 28: In order to monitor HAP emissions, records must be kept based upon calculations using the listed emission factors and methods.

Condition 29: As part of the cap on Hazardous Air Pollutants (HAPs), the annual tonnage of iron melted is restricted to 75,000 tons.

Conditions 30, 32 & 46: Opacity from sources is limited to 20%. This must be monitored by a daily check of the facility for any visible emissions.

Conditions 39 & 40: To assure the proper operation of the particulate control device for emission point 00088, a pressure drop range across the baghouse must be determined and subsequently monitored.

Condition 41: An initial stack test is required to verify that the 6NYCRR Part 216 particulate limit of 0.05 grains per standard cubic foot is met at emission point 00088.

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Conditions 42 & 43: To assure the proper operation of the particulate control device for emission point 00089, a pressure drop range across the baghouse must be determined and subsequently monitored.

Condition 44: 6NYCRR Part 216 requires that the particulate limit of 0.05 grains per cubic foot be met at emission point 00089. Since stack testing was previously conducted verifying this limit, further testing will be required at the discretion of the Department.

Conditions 47, 49, 51, 59 and 60: Under 6NYCRR Part 228, no coatings may be used that have a VOC content greater than 3.5 pounds per gallon.

Conditions 52, 53, 55, 56 and 58: Under 40 CFR 63 Subpart M, emissions of organic hazardous air pollutants (HAPs) from coating operations is limited to 0.31 kg of organic HAPs per liter of coating solids (2.6 lb/gal). These conditions describe the methods of recordkeeping and reporting to assure compliance with this limit.

Condition 64: To assure proper operation of the acid scrubber, the pH must be monitored.