



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

**Permit ID: 8-2614-00888/00001  
11/16/2012**

**Facility Identification Data**

Name: ROCHESTER SILVER WORKS  
Address: EASTMAN BUSINESS PARK|BUILDINGS 101, 110, 117, 138, 143, 144, 145, & 156  
ROCHESTER, NY 14652

**Owner/Firm**

Name: ROCHESTER SILVER WORKS LLC  
Address: 681 W RIDGE RD  
ROCHESTER, NY 14652, USA  
Owner Classification: Corporation/Partnership

**Permit Contacts**

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1669 LAKE AVE BLDG 110  
ROCHESTER, NY 14652-3639  
Phone:5854776434

**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**

On September 30, 2011, Rochester Silver Works became the owner of the former Kodak Silver Recovery and Silver Nitrate production operations at Eastman Business Park. The Department issued a Title V Facility Permit to the new owners which reflected the existing operations under Kodak's permit. However, the first Renewal of Kodak's Title V Permit was well underway when this change of ownership took place and included significant revisions to the affected Silver Recovery emission units. Therefore, the permit renewal process will continue for the transferred emission units under the new ownership. As



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part of the Title V Renewal, the emission units representing the Silver Recovery and Silver Nitrate production operations were consolidated into three emission units: EU U-00019, U-00063, and U-00078.

Other significant revisions are described below:

**EU U-00063 Revised Monitoring Conditions**

In accordance with Consent Order R8-20010314-10, installation of a new scrubber system and the required testing on the Silver Recovery Roaster were completed by Kodak. Detailed monitoring requirements for the new control system have been added to the permit based on performance test results. These conditions replace testing requirements and interim limits based on the NSR/PSD compliance plan in the previous permit. Obligations under the compliance plan, associated with Consent Order R8-20010314-10, have been met.

Based on emissions testing required under the Order and an evaluation of Reasonably Available Control Technology (RACT) which demonstrated that additional controls for emissions of Nitrogen Oxides (NOx) from the Roaster were not technically and economically feasible, a NOx limit of 10.5 tpy on a rolling 12-month basis has been added to the permit. This NOx limit under 6 NYCRR Part 212.10( c)(3), replaces the 25.5 tpy limit in previous versions of the permit for emissions of NOx from the Silver Recovery Roaster (ES 101AJ) and Smelter (ES 101AI) while they were vented together to EP 10101. Emission tests indicated that the potential NOx emissions from the Smelter alone is less than 3 lb/hr and therefore does not trigger the RACT requirements.

**Attainment Status**

ROCHESTER SILVER WORKS is located in the town of ROCHESTER in the county of MONROE. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

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

\* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

\*\* NOx has a separate ambient air quality standard in addition to being an ozone precursor.



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**Facility Description:**

Rochester Silver Works (previously Kodak's Silver Recovery Operations) are located in Bldgs 101, 110, 143 and 156 of Eastman Business Park. The operations involve recovery and purification of elemental silver as well as the production of silver nitrate.

**Permit Structure and Description of Operations**

The Title V permit for ROCHESTER SILVER WORKS

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.

ROCHESTER SILVER WORKS is defined by the following emission unit(s):

Emission unit FAC001 - FACILITY EMISSION UNIT FOR SOLVENT METAL PARTS CLEANERS, AND ASSOCIATED FUGITIVE EMISSIONS.

Process: 226 is located at Building 101 - SOLVENT METAL CLEANING MACHINES WITH 6 NYCRR PART 226 APPLICABILITY WHICH WOULD OTHERWISE BE EXEMPT OR TRIVIAL CONSISTENT WITH PART 201-3.

Emission unit U00019 - SILVER FLOW SILVER NITRATE OPERATIONS AND ASSOCIATED FUGITIVE EMISSIONS

Emission unit U00019 is associated with the following emission points (EP):  
14302, 14303

Process: H39 is located at Building 143 - SILVER NITRATE MANUFACTURING AND PURIFICATION OPERATIONS

Emission unit U00063 - SILVER FLOW SMELTER AND ROASTER, AND ASSOCIATED FUGITIVE EMISSIONS

Emission unit U00063 is associated with the following emission points (EP):



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10105, 10109, 101A1, 101A2, 101A3, 11002, 110A1  
Process: H29 is located at Building 101 - SILVER RECOVERY ROASTING AND SMELTING  
PROCESS SUBJECT TO NOX RACT

Process: H31 is located at Building 101 - SLAG MOLD POURING/COOLING, AND SILVER  
CASTING

Process: H32 is located at Building 101 - SILVER CONTAINING ASH CONVEYANCE SYSTEM

Process: H33 is located at Building 110 - ELECTROLYTIC CELLS AND ASSOCIATED PROCESS  
TANKS USED IN THE RECOVERY OF SILVER WITH NOX EMISSIONS > 15 LBS/DAY

Process: H34 is located at Building 110 - SILVER RECOVERY INDUCTION FURNACE  
OPERATIONS

Emission unit U00078 - SILVER FLOW WATER TREATMENT OPERATIONS, AND ASSOCIATED  
FUGITIVE EMISSIONS

Emission unit U00078 is associated with the following emission points (EP):  
11004, 110B3, 110B7, 110C0, 110C5, 110C6, 110C7, 110C8, 110C9, 110D0, 110D1, 110D2, 110D3,  
15602

Process: H30 is located at & BLDGS 156, Building 110 - WATER TREATMENT OPERATIONS  
ASSOCIATED WITH SILVER RECOVERY, INCLUDING OPEN BASINS, AND EMISSION  
SOURCES WITH VOC ERP < 3 LB/HR.

Process: H37 is located at Building 110 - NON-VOLATILE RAW MATERIAL STORAGE TANKS

Process: H38 is located at Building 110 - FILM WASH OPERATIONS FOR THE REMOVAL OF  
COATINGS & EMULSIONS FROM FILM SCRAP PRODUCTS

Process: H41 is located at Building 110 - EXHAUST HOOD ASSOCIATED WITH SILVER  
RECOVERY SAMPLING & DISPOSITION FROM PHOTOGRAPHIC OPERATIONS WITH VOC  
EMISSION RATE POTENTIAL (ERP) < 3 LBS/HR

Process: H43 is located at Building 110 - FILM DRYING OPERATIONS EQUIPPED WITH DUST  
CONTROL

**Title V/Major Source Status**

ROCHESTER SILVER WORKS is subject to Title V requirements. This determination is based on the  
following information:

These silver manufacturing operations were previously permitted under Kodak's "Kodak Park" Title V  
Permit and have been transferred to new ownership as a Title V Permit. These operations on the own  
have potential emissions of numerous HAPs > 10 tons/year and cumulative HAPs > 25 tons/year. The  
potential emissions of criteria pollutants, including NOx, Particulate, Sulfur Dioxide, and VOC, are also  
above major source thresholds. For the most part, these operations are regulated under 6 NYCRR Part  
212.

**Program Applicability**

The following chart summarizes the applicability of ROCHESTER SILVER WORKS with regards to the

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principal air pollution  
 regulatory programs:

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

**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.



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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**

3341

SECONDARY NONFERROUS METALS

**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**

3-16-050-04

PHOTOGRAPHIC PRODUCT MANUFACTURING  
SURFACE TREATMENTS

3-16-120-01

PHOTOGRAPHIC DRYING OPERATIONS`  
PHOTOGRAPHIC PRODUCT MANUFACTURING  
CLEANING OPERATIONS

3-16-130-02

TANK CLEANING OPERATIONS  
PHOTOGRAPHIC PRODUCT MANUFACTURING  
STORAGE OPERATIONS

3-16-140-02

GENERAL STORAGE OPERATIONS  
PHOTOGRAPHIC PRODUCT MANUFACTURING  
TRANSFER OPERATIONS

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3-16-150-01	TRANSFER OF CHEMICALS - SPECIFY PRODUCT PHOTOGRAPHIC PRODUCT MANUFACTURING RECOVERY OPERATIONS
3-16-150-04	RECOVERY OPERATIONS PHOTOGRAPHIC PRODUCT MANUFACTURING RECOVERY OPERATIONS
3-16-160-02	FILTRATION OPERATIONS PHOTOGRAPHIC PRODUCT MANUFACTURING OTHER OPERATIONS
3-16-160-03	GENERAL PROCESS TANK OPERATIONS PHOTOGRAPHIC PRODUCT MANUFACTURING OTHER OPERATIONS
4-01-003-36	MISCELLANEOUS MANUFACTURING - OPERATIONS ORGANIC SOLVENT EVAPORATION COLD SOLVENT CLEANING/STRIPPING Entire Unit
5-03-007-02	SOLID WASTE DISPOSAL - INDUSTRIAL SOLID WASTE DISPOSAL: INDUSTRIAL - LIQUID WASTE SOLID WASTE DISPOSAL-INDUSTRIAL-LIQUID WASTE TREATMENT-GENERAL

**Facility Emissions Summary**

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

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000075-07-0	ACETALDEHYDE	>= 10	tpy
007440-36-0	ANTIMONY	>= 10	tpy
007440-38-2	ARSENIC	>= 10	tpy
007440-41-7	BERYLLIUM	>= 10	tpy
000071-36-3	BUTANOL	>= 10	tpy but < 25 tpy
007440-43-9	CADMIUM	>= 10	tpy
000075-15-0	CARBON DISULFIDE	>= 10	tpy
000630-08-0	CARBON MONOXIDE	>= 250	tpy but < 75,000 tpy
000463-58-1	CARBONYL SULFIDE	>= 10	tpy
007782-50-5	CHLORINE	>= 10	tpy
000108-90-7	CHLOROBENZENE	>= 10	tpy
000067-66-3	CHLOROFORM	>= 10	tpy

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007440-47-3	CHROMIUM	>= 10 tpy
007440-48-4	COBALT	>= 10 tpy
000110-82-7	CYCLOHEXANE	> 0 but < 2.5 tpy
000075-09-2	DICHLOROMETHANE	>= 10 tpy
000067-64-1	DIMETHYL KETONE	> 0 but < 2.5 tpy
000071-55-6	ETHANE, 1,1,1-TRICHLORO	>= 10 tpy
000075-00-3	ETHANE, CHLORO	>= 10 tpy
0NY100-00-0	HAP	>= 250 tpy but < 75,000 tpy
010035-10-6	HYDROGEN BROMIDE	>= 250 tpy but < 75,000 tpy
007647-01-0	HYDROGEN CHLORIDE	>= 10 tpy
007664-39-3	HYDROGEN FLUORIDE	>= 10 tpy
007439-92-1	LEAD	>= 10 tpy
007439-96-5	MANGANESE	>= 10 tpy
007439-97-6	MERCURY	>= 10 tpy
000067-56-1	METHYL ALCOHOL	>= 10 tpy
000074-83-9	METHYL BROMIDE	>= 10 tpy
000074-87-3	METHYL CHLORIDE	>= 10 tpy
000091-20-3	NAPHTHALENE	>= 10 tpy
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	>= 10 tpy
0NY210-00-0	OXIDES OF NITROGEN	>= 250 tpy but < 75,000 tpy
0NY075-00-0	PARTICULATES	>= 250 tpy but < 75,000 tpy
0NY075-00-5	PM-10	>= 250 tpy but < 75,000 tpy
000078-87-5	PROPANE, 1,2-DICHLORO	>= 10 tpy
000100-42-5	STYRENE	>= 10 tpy
007446-09-5	SULFUR DIOXIDE	>= 250 tpy but < 75,000 tpy
007664-93-9	SULFURIC ACID	>= 250 tpy but < 75,000 tpy
000108-88-3	TOLUENE	>= 10 tpy
000075-01-4	VINYL CHLORIDE	>= 10 tpy
0NY998-00-0	VOC	>= 250 tpy but < 75,000 tpy
001330-20-7	XYLENE, M, O & P MIXT.	>= 10 tpy

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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



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

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

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

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

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

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

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

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

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

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

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

**Regulatory Analysis**

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Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
-- FACILITY	ECL 19-0301	61	Powers and Duties of the Department with respect to air pollution control
U- 00063/101A2/H29/101AJ FACILITY	40CFR 52-A.21	47, 48, 49, 50	Prevention of Significant Deterioration
FACILITY	40CFR 61-M	28	Asbestos standards for: asbestos mills, manufacturing operations using asbestos, and other sources
FACILITY	40CFR 64.7	29	CAM - Operation of approved monitoring
FACILITY	40CFR 64.8	30	CAM - Quality improvement plan (QIP) requirements
FACILITY	40CFR 64.9	31	CAM - Reporting and recordkeeping requirements
FACILITY	40CFR 68	20	Chemical accident prevention provisions
FACILITY	40CFR 82-F	21	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	62	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	22, 32, 33	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.5 (a) (4)	15	General conditions
FACILITY	6NYCRR 201-6.5 (a) (7)	2	General conditions
FACILITY	6NYCRR 201-6.5 (a) (8)	16	Fees
FACILITY	6NYCRR 201-6.5 (c)	3	General conditions
FACILITY	6NYCRR 201-6.5 (c) (2)	4	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-	5	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring



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	6.5 (c) (3) (ii)		Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (d) (5)	17	Compliance schedules
FACILITY	6NYCRR 201-6.5 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.5 (f)	23	Operational flexibility
FACILITY	6NYCRR 201-6.5 (f) (6)	18	Off Permit Changes
FACILITY	6NYCRR 201-6.5 (g)	24	Permit shield
FACILITY	6NYCRR 202-1.1	19	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 207	25	Control Measures for an Air Pollution Episode
FACILITY	6NYCRR 211.1	26	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	63	General Prohibitions - visible emissions limited.
U-00019/-/H39/143AA	6NYCRR 212.10 (c) (3)	35, 36	NOx and VOC RACT required at major facilities
U-00063/101A2/H29/101AJ	6NYCRR 212.10 (c) (3)	45	NOx and VOC RACT required at major facilities
U-00063/11002/H33/110AC	6NYCRR 212.10 (c) (3)	53	NOx and VOC RACT required at major facilities
U-00063/101A2/H29/101AJ	6NYCRR 212.10 (c) (4) (i)	46	NOx and VOC RACT required at major facilities
U-00078/110C6/H38/110AQ	6NYCRR 212.10 (c) (4) (iii)	56	General Process Emission Sources - NOx and VOC RACT required at major facilities
FACILITY	6NYCRR 212.4 (a)	64	General Process Emission Sources - emissions from new sources and/or modifications
U-00063/101A1/H34/110AE	6NYCRR 212.4 (a)	67	General Process Emission Sources - emissions from new sources and/or modifications
U-00063/101A2/H29/101AJ	6NYCRR 212.4 (a)	68, 69, 70, 71, 72	General Process Emission Sources - emissions from new sources and/or modifications
U-00078/110C6/H38/110AQ	6NYCRR 212.4 (a)	73	General Process Emission Sources - emissions from new sources and/or modifications
U-00019/14303/H39/143AB	6NYCRR 212.4 (c)	37	General Process Emission Sources -

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U-00063	6NYCRR 212.4 (c)	39	emissions from new processes and/or modifications General Process Emission Sources - emissions from new processes and/or modifications
U-00063/10105/H31/101AB	6NYCRR 212.4 (c)	41, 42	General Process Emission Sources - emissions from new processes and/or modifications
U-00063/101A2/H29/101AJ	6NYCRR 212.4 (c)	44	General Process Emission Sources - emissions from new processes and/or modifications
U-00063/101A3/H29/101AI	6NYCRR 212.4 (c)	52	General Process Emission Sources - emissions from new processes and/or modifications
U-00078	6NYCRR 212.4 (c)	54	General Process Emission Sources - emissions from new processes and/or modifications
U-00078/110D0/H43/110AU	6NYCRR 212.4 (c)	57	General Process Emission Sources - emissions from new processes and/or modifications
U-00078/110D1/H43/110AV	6NYCRR 212.4 (c)	58	General Process Emission Sources - emissions from new processes and/or modifications
U-00078/110D2/H43/110AW	6NYCRR 212.4 (c)	59	General Process Emission Sources - emissions from new processes and/or modifications
U-00078/110D3/H43/110AX	6NYCRR 212.4 (c)	60	General Process Emission Sources - emissions from new processes and/or modifications
FACILITY	6NYCRR 212.5 (d)	65	Applicable emission standards
U-00019/14303/H39/143AB	6NYCRR 212.6 (a)	38	General Process Emission Sources - opacity of emissions limited
U-00063	6NYCRR 212.6 (a)	40	General Process Emission Sources - opacity of emissions limited
U-00063/10105/H31/101AB	6NYCRR 212.6 (a)	43	General Process Emission Sources - opacity of emissions limited
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U-00078	6NYCRR 212.6 (a)	55	limited General Process Emission Sources - opacity of emissions limited
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
F-AC001	6NYCRR 226	34	SOLVENT METAL CLEANING PROCESSES
FACILITY	6NYCRR 231-11.2 (b)	27	Reasonable Possibility requirements for insignificant mods - less than 50% with excluded emissions
FACILITY	6NYCRR 231-11.2 (c)	66	Reasonable Possibility requirements for insignificant mods - greater than 50% with excluded emissions

**Applicability Discussion:**

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

ECL 19-0301

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

6 NYCRR 200.6

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

6 NYCRR 200.7

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

6 NYCRR 201-1.4

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

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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



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other state and federal air pollution control requirements, regulations, or law.

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.5 (a) (4)

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

6 NYCRR 201-6.5 (a) (7)

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

6 NYCRR 201-6.5 (a) (8)

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

6 NYCRR 201-6.5 (c)

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

6 NYCRR 201-6.5 (c) (2)

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



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

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

6 NYCRR 201-6.5 (d) (5)

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

6 NYCRR 201-6.5 (e)

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

6 NYCRR 201-6.5 (f) (6)

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

6 NYCRR 201-6.5 (g)

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

6 NYCRR 202-1.1

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

6 NYCRR 202-2.1

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

6 NYCRR 202-2.5

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

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

6 NYCRR 215.2

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

40 CFR Part 68

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

40 CFR Part 82, Subpart F



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

**Facility Specific Requirements**

In addition to Title V, ROCHESTER SILVER WORKS has been determined to be subject to the following regulations:

40 CFR 52.21

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) .

40 CFR 64.7

This section states the general requirements of operating and maintaining the monitoring system approved under the facility's CAM Plan.

40 CFR 64.8

This section lists the elements of a Quality Improvement Plan (QIP). A QIP may be required if a permittee has a number of exceedances or excursions of its Compliance Assurance Monitoring (CAM) program during during a reporting period.

40 CFR 64.9

This section specifies the general requirements for recording and reporting excursions or exceedances of CAM conditions and actions taken to implement a Quality Improvement Program (QIP), if applicable.

40 CFR Part 61, Subpart M

This is the National Emission Standard for Asbestos and it includes provisions for handling and disposing of asbestos.

6 NYCRR 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.



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6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

6 NYCRR 212.10 (c) (3)

Acceptable NOx RACT compliance plans submitted to the Department will become part of the State SIP.

6 NYCRR 212.10 (c) (4) (i)

VOC removal efficiency greater than 81% is considered RACT.

6 NYCRR 212.10 (c) (4) (iii)

This section allows source owners who cannot achieve an overall removal efficiency of 81% or use coatings that don't exceed 3.5 lbs. VOC/gallon as applied for technological or economic reasons to use process specific reasonably available control technology (RACT) demonstrations for sources of volatile organic compounds (VOC) which are acceptable to the Department and have been submitted to EPA for approval as a revision to the State Implementation Plan by the Department.

6 NYCRR 212.4 (a)

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

6 NYCRR 212.4 (c)

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

6 NYCRR 212.5 (d)

This section specifies that if best available control technologies (BACT) are implemented the commissioner may specify, under certain situations, a less restrictive emission rate.

6 NYCRR 212.6 (a)

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

6 NYCRR 231-11.2 (b)

This subdivision is referred to as the "Reasonable Possibility" provisions. This citation lists the record keeping requirements for insignificant modifications that are less than 50% of the applicable significant



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project threshold including excluded emissions as defined in Part 231-4.1(b)(40)(i)(c).

6 NYCRR 231-11.2 (c)

This citation lists the record keeping requirements for insignificant modifications that are greater than 50% of the threshold including excluded emissions as defined in 231-4.1(b)(40)(i)(c) of this Part.

6 NYCRR Part 207

This regulation requires the owner or operator to submit an episode action plan to the Department in accordance with the requirements of 6NYCRR Part 207. The plan must contain detailed steps which will be taken by the facility to reduce air contaminant emissions during each stage of an air pollution episode. Once approved, the facility shall take whatever actions are prescribed by the episode action plan when an air pollution episode is in effect.

6 NYCRR Part 226

This regulation specifies the general requirements, equipment specifications and operating requirements for open-top vapor, conveyORIZED and cold cleaning degreasers.

**Non Applicability Analysis**

**List of non-applicable rules and regulations:**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Regulation</b>	<b>Short Description</b>
U-00063/-/H29	40 CFR Part 61, Subpart E	Standard for Mercury: Mercury Ore Processing, chlorine gas production, and sludge incineration

Reason: The Silver Recovery Roaster (ES 101AJ) is not subject to 40 CFR 61 Subpart E because the silver rich "mud" is processed for the purpose of silver recovery, rather than wastewater treatment. Sludge incinerators or dryers which process sludge from operations other than industrial or municipal wastewater treatment plants are not subject to this rule.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.5(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state

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only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

**Compliance Certification**  
**Summary of monitoring activities at ROCHESTER SILVER WORKS:**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Cond No.</b>	<b>Type of Monitoring</b>
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U-00063/101A2/H29/101AJ	47	record keeping/maintenance procedures
U-00063/101A2/H29/101AJ	48	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	49	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	50	monitoring of process or control device parameters as surrogate
FACILITY	29	record keeping/maintenance procedures
FACILITY	30	record keeping/maintenance procedures
FACILITY	31	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
U-00019/-/H39/143AA	35	monitoring of process or control device parameters as surrogate
U-00019/-/H39/143AA	36	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	45	record keeping/maintenance procedures
U-00063/11002/H33/110AC	53	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	46	monitoring of process or control device parameters as surrogate
U-00078/110C6/H38/110AQ	56	record keeping/maintenance procedures
U-00063/101A1/H34/110AE	67	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	68	record keeping/maintenance procedures
U-00063/101A2/H29/101AJ	69	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	70	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	71	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	72	monitoring of process or control device parameters as surrogate
U-00078/110C6/H38/110AQ	73	record keeping/maintenance procedures
U-00019/14303/H39/143AB	37	monitoring of process or control device parameters as surrogate
U-00063	39	monitoring of process or control device parameters as surrogate
U-00063/10105/H31/101AB	41	monitoring of process or control device parameters as surrogate
U-00063/10105/H31/101AB	42	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	44	monitoring of process or control device parameters as surrogate
U-00063/101A3/H29/101AI	52	continuous emission monitoring (cem)
U-00078	54	monitoring of process or control device parameters



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		as surrogate
U-00078/110D0/H43/110AU	57	record keeping/maintenance procedures
U-00078/110D1/H43/110AV	58	record keeping/maintenance procedures
U-00078/110D2/H43/110AW	59	record keeping/maintenance procedures
U-00078/110D3/H43/110AX	60	record keeping/maintenance procedures
U-00019/14303/H39/143AB	38	record keeping/maintenance procedures
U-00063	40	record keeping/maintenance procedures
U-00063/10105/H31/101AB	43	monitoring of process or control device parameters as surrogate
U-00063/101A3/H29	51	continuous emission monitoring (cem)
U-00078	55	record keeping/maintenance procedures
F-AC001	34	record keeping/maintenance procedures
FACILITY	27	record keeping/maintenance procedures
FACILITY	66	record keeping/maintenance procedures

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**Basis for Monitoring  
DESCRIPTION OF MONITORING REQUIREMENTS**

**6 NYCRR Part 201 Permits and Registrations**

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

Requires submittal of semi-annual reports for deviations of monitoring conditions in the permit. Also establishes procedures for prompt notification of permit deviations.

**6NYCRR Part 201-6.5(e)**

Requires submittal and specifies content of annual compliance certification reports.

**6NYCRR Part 201-6.5(f)**

This facility-specific condition includes the facility "Operational Flexibility Plan" which makes provisions for facilitating "off permit changes" authorized by the Clean Air Act section 502(b)(10) and 40 CFR 70.2. It allows changes to occur at a facility that are not specifically addressed or prohibited by the permit only after they go through a review protocol outlined in the condition. Any federal or state requirements which apply to the change must already exist in the issued Title V permit. Once the appropriate review is completed, the change may be made without making a formal permit revision or modification.

Operational flexibility may not be applied to projects that are defined as "major" under New York State Uniform Procedures (6NYCRR Part 621) or any project that would be considered a "significant permit modification" under 6NYCRR Part 201-6. This prohibition specifically includes modifications under Title I of the Clean Air Act and any change that would exceed the emissions allowable under the permit, whether expressed as a rate or in terms of total emissions.

This facility-specific condition specifies the detailed prohibitions and notification requirements associated with "off-permit" changes which are generally described in the mandatory facility-level condition under 6 NYCRR 201-6.5(f)(6). As the mandatory condition states, "off-permit changes" made pursuant to the Operational Flexibility Plan are not covered by the permit shield described in section 6NYCRR 201-6.6.

**6NYCRR Part 202-2 Emission Statements**

**6NYCRR Part 202-2.1**

Sets annual mission statement reporting deadline.

**6NYCRR Part 212 General Process Emission Sources**

**6NYCRR Part 212.4(a)**

For emission points having authorized emissions which exceed the thresholds for a required percentage of control according to Tables 2, 3, or 4 of Part 212, conditions are included in the permit which specify



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monitoring requirements for control devices and/or process parameters. In some cases where it has been demonstrated that it is not feasible to meet the specified control percentage, a BACT analysis is conducted and a condition specifying an alternate limit and record keeping requirements is included in the permit as allowed by 212.5(d). For emission points having authorized emissions below the thresholds for specified level of control under Tables 2,3 or 4 of Part 212, a general condition stating that these thresholds would not be exceeded was included in the permit.

Pursuant to Order on Consent R8-20010314-10, Kodak satisfied Part 212.4(a) requirements by installing a single stage caustic scrubber system on the Silver Recovery Roaster (ES 101AJ). Once all testing and reporting required under the Consent Order was complete, operating parameters for the new scrubber were established which will ensure that control efficiencies demonstrated by the testing is maintained. Permit conditions are included in EU U-00063 for ES 101AJ which document these operating requirements for the following applicable contaminants: Nitrogen Oxide, Sulfur Dioxide, Sulfuric Acid, Hydrogen Chloride and Hydrogen Bromide. The Consent Order also listed Chlorine, Arsenic, Cadmium, and Nickel as Part 212 applicable because at the time predicted levels of these contaminants were above the Ambient Guideline Concentrations (AGCs). According to a more recent assessment done by Kodak in October 2008, emissions of these four contaminants have decreased such that predicted ambient levels around Eastman Business Park are below the AGCs. Based on 2005 test results, the potential emission rate for each of these contaminants from the Roaster is less than 0.1 lb/hr.

**6NYCRR Part 212.4(c)**

The regulation of particulate at 6 NYCRR Part 212.4(c) does not specify periodic monitoring. Therefore, the permit must contain periodic monitoring to demonstrate compliance with the 0.05 grains/dscf limit.

Many of the permit conditions included for this purpose require monitoring of control equipment and/or process parameters and/or periodic inspections, maintenance, and record keeping. For example, the silver roaster (ES 101AJ) is equipped with a baghouse and a scrubber system which must be maintained according to the manufacturer's recommendations. The panel filters in EU U00078 are subject to weekly inspections. Particulate from the slag pouring operation (ES 101AB) is controlled with a venturi scrubber. Monitoring conditions require that this venture is cleaned and maintained on a quarterly basis and during slag pours the pressure drop across the venturi must be maintained at or above 9 inches of water based on manufacturer's information and baseline data.

In some cases, opacity is being used as a compliance parameter where stack testing has been done to correlate particulate emissions with opacity measurements. In the case of EP 10105, a 20% opacity limit applies during slag pours based on a 1998 stack test. Intermediate opacity thresholds based on testing and operator experience are used to more conservatively control the slag pour to prevent excess particulate. The #4 smelter (ES 101AI) is equipped with a baghouse. The baghouse must be inspected and maintained based on manufacturer's recommendations and operator experience. Additionally, opacity is used as an indicator of baghouse performance.

Some smaller scale particulate sources subject to Part 212.4(c) do not need a control device to comply with the 0.05 grains/dscf particulate standard. In these cases, process knowledge, operating conditions, emission sampling data and calculations, and other information from the permit file are used assess and demonstrate on-going compliance. For such sources, the permit requires that on a semiannual basis, facility operators review all of the data and operating parameters related to the particulate emission rate (ex. production rate, raw material supply, air flow etc..) to verify the accuracy of the reported particulate emission rate. Additionally, the permit condition requires that they investigate and correct any instance where there is cause to believe that particulate emissions above 0.05 grains/dscf are occurring or have occurred. If there is still a doubt as to whether the standard is being met, the Department may require a particulate stack test at any time.



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**6NYCRR Part 212.6(a)**

The regulation of opacity (visible emissions) at 6 NYCRR Part 212.6(a) does not specify periodic monitoring. Therefore, the permit must contain periodic monitoring to demonstrate compliance with the 20% opacity limit. Generally, all Part 212 applicable sources at which have the potential to emit particulate emissions are subject to this opacity limit. Opacity in excess of 20% may indicate a particulate control problem but there is not always a correlation between mass emissions and opacity. Compliance with the particulate standards themselves is regulated separately under Part 212.4(c).

In two cases, direct measurement of opacity in the stack through continuous opacity monitoring devices are required the permit. The slag pour process (EP 10105) has historically had opacity problems and now relies on an opacity monitor to demonstrate compliance in accordance with a monitoring plan. The smelter (EP 101A3) is a significant emission source with a relatively new control system which includes a continuous opacity monitor which is operated in accordance with an approved monitoring plan.

The remainder of particulate sources at the facility do not warrant continuous opacity monitors. Some, due to their very small potential emissions or their minimal operating time, typically have negligible or very short term (less than six minutes) opacity (a small scale pouring operation, for example). Generally, for these sources which do not have continuous opacity monitors the permit requires a visible observation on a semi-annual frequency. The permit condition also requires that any instance where there is cause to believe that visible emissions have the potential to exceed the standard must be investigated and followed-up with EPA Method 9 assessment if not corrected within one operating day. If there is still a doubt as to whether the standard is being met, the Department may conduct, or require, a Method 9 assessment for compliance at any time.

**6NYCRR Part 212.10(c)(3)**

Sets Reasonably Available Control Technology (RACT) limits for oxides of nitrogen (NO<sub>x</sub>) emissions and requires monitoring and record keeping to demonstrate compliance.

In the silver nitrate production area (EU U-00019) an aqueous scrubber (Control Device 14303) is used to minimize NO<sub>x</sub> emissions. To ensure that the control device operates optimally and complies with NO<sub>x</sub> RACT, the permit requires that a minimum water flow rate of 60 liters/min and a pressure drop of 7.5 kPa be maintained across the scrubber based on past testing.

The Roaster (ES 101AJ) is equipped with a scrubber system primarily to comply with 40 CFR 52.21 Prevention of Significant Deterioration (PSD) for SO<sub>2</sub>, acid gases and other toxics. The control system does not control Nitrogen Oxides (NO<sub>x</sub>). The Roaster afterburner is equipped with low NO<sub>x</sub> burners. A NO<sub>x</sub> RACT evaluation conducted at the time of the scrubber system project demonstrated that at the baseline emission rate established by stack tests, no further NO<sub>x</sub> controls were found to be cost effective. To document this finding and ensure that emissions were not allowed above this baseline emission rate, the permit includes a limit of 10.5 tons per year.

For the demister associated with the electrolytic cell tanks (Emission Source 110AC) the permit requires a minimum flow rate of 3 gallons per minute which is verified by weekly inspections.

**6NYCRR Part 212.10(c)(4)(i)**

Requires demonstration of compliance with RACT limits for volatile organic compounds (VOCs). In order to meet the 81% control requirement for VOC emissions from the Roaster, the permit requires that the afterburner (Control Device 10102) be operated at a minimum temperature of 1650 degrees F, as determined through stack testing.

**6NYCRR Part 212.10(c)(4)(iii)**



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Permit conditions establish RACT (Reasonably Available Control Technology) limits for volatile organic compounds (VOCs), monitoring and record keeping of process parameters or process material quantities to demonstrate compliance and on-going reevaluation of RACT. In the case of the Cowles Washers (ES 110AQ) where VOCs are emitted during the process of washing the film coatings off of scrap & recycled film base, VOCs are limited on an annual basis. The limit is based on the conclusions of the most recent RACT evaluation. The evaluation is re-done approximately every five years. Monthly emission calculations of a rolling 12-month total is required to demonstrate compliance with this VOC RACT limit.

**6NYCRR Part 226 Solvent Metal Cleaning Processes**

These conditions establish equipment specifications, operating requirements, and work practice standards for cold cleaning degreasers. These work practice requirements must be adhered to on a continuous basis whenever the sources are in use. The proper operating procedures must be posted conspicuously. By their nature, these requirements do not lend themselves to parametric monitoring or regular frequency of inspection. The original Title V permit included a requirement for a daily inspection of subject cleaners, but after further review and consideration, it was determined that daily inspections would be impractical since these sources may not be used on a daily basis. Less frequent inspections (ex. weekly) would not significantly improve compliance with these types of requirements. It was determined that a single monitoring approach would not work for all of the sources subject to these requirements because of the variety of types, sizes and operating frequencies of the degreasers.

The cleaners subject to these requirements (Emission Unit FAC001) are small and may be considered "insignificant activities" (ie. cleaners that would be eligible for an exemption from permitting under Part 201 if not for their applicability to Part 226 or 40 CFR 63 Subpart T). Specifically, Part 201-3.2(c)(39) provides an exemption from permitting for solvent metal cleaners which meet certain size and solvent criteria. For the purpose of demonstrating compliance at these smaller degreasers, the permit specifies that the operator must note any deviations from the requirements in the log book.

As specified by the rule, cold cleaning degreasers must be equipped with 1) a cover that operates easily, 2) an internal (under cover) drainage facility, if practical, and 3) a control system. The permit condition specifies that the log kept for purposes described above will also be used to indicate whether the cleaner is equipped with an internal drainage facility. According to the rule-making guidance, "internal drainage facility" refers to the rack or basket for dripping parts to minimize solvent carry-out. Parts must be allowed to drain until dripping stops (at least 15 seconds).

**6NYCRR Part 231 New Source Review for New and Modified Facilities**

**6 NYCRR Part 231-11 Permit and Reasonable Possibility Requirements**

**6 NYCRR Part 231-11.2**

The "Reasonable Possibility" provisions of the revised Part 231 rule have been included under the 231-11.2(b) and (c) citations. These conditions explain that in the case that a project potential is evaluated using the *projected actual* emissions, rather than potential emissions (PTE), additional record keeping is required. Because no specific project has triggered these requirements at the time of this permit, these two conditions are included, generically, at the facility level.

**40 CFR 52-A.21 Prevention of Significant Deterioration**

Sets emission limits and compliance demonstration requirements for meeting federal Prevention of Significant Deterioration (PSD) requirements for applicable contaminants, including VOC, NOx, Particulate, Sulfur Dioxide and Fluoride.

PSD requirements for the Roaster (ES 101AJ) have been met with the installation of a single stage caustic scrubber system under Kodak's Consent Order #R8-20010314-10. Now that all testing and reporting required under the Consent Order has been completed, operating parameters for the scrubber are included in four permit conditions which will ensure that control efficiencies demonstrated by the testing is



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maintained. Based on operating data collected during emissions tests conducted in July 2005 and November 2006, the parameters regulated for ensuring on-going compliance include:

- minimum hourly average scrubber venturi pressure drop at or above 3.5 inches of water
- minimum hourly average scrubber tray recirculation pH at or above 6.
- Maximum hourly average scrubber quench temperature at or below 175 degrees F.
- Visual inspection of the scrubber demister pad on an annual basis to ensure proper operation.

**40 CFR 64 Compliance Assurance Monitoring (CAM)**

For those emission units which CAM applies, the Renewal permit (“Ren 1”) includes new CAM conditions or amended existing periodic monitoring conditions at the emission unit level for the pollutant/standard/pollutant-specific emission unit combination(s) that trigger CAM. These conditions are intended to cover the necessary elements of a CAM submittal as described in 64.4.

**40 CFR 64.4**

Justification of the proposed CAM, required under paragraph 64.4(b), and past test data and associated documentation used to support the proposed monitoring, required under 64.4(c), were provided as part of Kodak’s Renewal application and are included below under the appropriate Emission Unit headings. Where CAM applicability may not be self-evident, a brief applicability analyses and conclusions for units, pollutants and standard combinations for which Kodak has concluded that CAM does not apply is also included below.



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**U-00019**

**CAM Justification:**

**EP 14302 – Wet Scrubber**

**212.10(c)(3) NO<sub>x</sub> RACT**

Parametric monitoring is used to demonstrate compliance with 212.10(c)(3) NO<sub>x</sub> RACT. The parameters used in this demonstration were based on past operating history and in-house sampling performed May 12, 2003 confirmed the ability of the scrubbers to meet required control efficiencies. CAM for 6 NYCRR 212.10(c)(3) will be satisfied by monitoring the following parameters as identified in the existing Title V permit conditions:

1. Flow rate of water (Control Device 14303) and
2. Pressure drop (Control Device 14303).

The indicator ranges for the parameters and monitoring frequencies will be consistent with the limits provided in the Title V Permit. The monitoring frequency satisfies the minimum frequency requirement identified in 64.3(b)(4)(iii) for other pollutant-specific emissions units.

**U-00063**

**CAM Justification:**

**EP 101A2 (Fabric Filter and Wet Scrubber)**

**212.4(c) Particulate standard**

Parametric monitoring and operating and maintenance procedures are used to demonstrate compliance with 212.4(c). The parameters and procedures used in this demonstration were based on past operating history and in-house sampling performed during 2001 confirmed the ability of the baghouse and scrubber to meet required control efficiencies. CAM for 6 NYCRR 212.10(c) will be satisfied by following the procedures listed below and by monitoring the following parameters as identified in the existing Title V permit conditions:

1. The baghouse (ES 10103) and scrubber (ES 10115) shall be operated and maintained according to manufacturer's recommendations;
2. Bags will be inspected approximately 4 times per year when the roaster is shut down, and replaced as necessary;
3. The permittee shall operate an in-line opacity meter;
4. The opacity meter shall be inspected as necessary for normal performance and manufacturer's recommended maintenance performed;
5. The permittee will conduct compliance verifications as specified in the permit and at the monitoring frequency specified in the permit; and
6. The permittee will investigate, in a timely manner, any instance where there is cause to believe that particulate emissions above 0.050 gr/dscf are occurring or have occurred.



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**CAM Justification:**

**EP 101A2 (scrubber)**

**40 CFR 52.21 - SO<sub>2</sub> Limit**

Parametric monitoring and operating and maintenance procedures are used to demonstrate compliance with 40 CFR 52.21. The parameters and procedures used in this demonstration were based on past operating history and in-house sampling performed during 2002 confirmed the ability of the scrubber to meet required control efficiencies.

CAM for 40 CFR 52.21 will be satisfied by monitoring the following parameters as identified in the existing Title V permit conditions:

1. Visually inspect the scrubber demister pad on an annual basis to ensure proper operation;
2. Maintain the hourly average scrubber venturi pressure drop at or above 3.5" H<sub>2</sub>O;
3. Maintain the hourly average scrubber tray recirculation pH at or above 6; and
4. Maintain the hourly average scrubber quench temperature at or below 175 °F.

The indicator ranges for the parameters and monitoring frequencies will be consistent with the limits provided in the Title V Permit. The monitoring frequency satisfies the minimum frequency requirement identified in 64.3(b)(4)(iii) for other pollutant-specific emissions units.



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**U-00063**

**CAM Justification:**

**EP 101A2 (Direct Flame Afterburner) 212.10(c)(4)(i) VOC RACT**

Parametric monitoring is used to demonstrate compliance with 212.10(c)(4)(i) VOC RACT. The parameters used in this demonstration were based on past operating history and in-house sampling performed 2002 confirmed the ability of the afterburner to meet required control efficiencies. CAM for 6 NYCRR 212.10(c)(4)(i) will be satisfied by monitoring the following parameters as identified in the existing Title V permit condition:

Maintain afterburner outlet gas temperature at an hourly average temperature above 1650 degrees F.

The indicator ranges for the parameters and monitoring frequencies will be consistent with the limits provided in the Title V Permit. The monitoring frequency satisfies the minimum frequency requirement identified in 64.3(b)(4)(iii) for other pollutant-specific emissions units.



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**U-00063**

**CAM Justification:**

**EP 101A3 (Fabric Filter)**

**212.4(c) Particulate standard**

Parametric monitoring and operating and maintenance procedures are used to demonstrate compliance with 212.4(c). The parameters and procedures used in this demonstration were based on past operating history and in-house sampling performed during 2002 confirmed the ability of the baghouse to meet required control efficiencies. CAM for 6 NYCRR 212.10(c) will be satisfied by following the procedures listed below and by monitoring the following parameters as identified in the existing Title V permit conditions:

1. Operate and maintain the baghouse (Control Device 10104) according to manufacturer's specifications;
2. Monitor opacity continuously and maintain it below 20%; and
3. Inspected bags every six months and replaced as necessary.

The indicator ranges for the parameters and monitoring frequencies will be consistent with the limits provided in the Title V Permit. The monitoring frequency satisfies the minimum frequency requirement identified in 64.3(b)(4)(iii) for other pollutant-specific emissions units.

**40 CFR 64.7**

This condition states the requirements for operating within the CAM requirements, including proper maintenance, data collection, and response and documentation of excursions.

**40 CFR 64.8**

This condition states that if a facility has repeated problems complying with a CAM requirement, the Administrator may require the owner or operator to develop and implement a Quality Improvement Plan (QIP). Details of the QIP requirement are included in the rule at 64.8, but were not incorporated into the Renewal permit because no QIP has been required yet.

**40 CFR 64.9**

This condition states the Reporting and Record Keeping requirements for CAM.