



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 8-2614-00888/00001

Renewal Number: 1

12/03/2018

Facility Identification Data

Name: ROCHESTER SILVER WORKS

Address: EASTMAN BUSINESS PARK|BUILDINGS 101, 110, 117, 138, 143, 144, 145, & 156
Rochester, NY 14652-3639

Owner/Firm

Name: ROCHESTER SILVER WORKS LLC

Address: 725 W RIDGE RD

PO BOX 15397

ROCHESTER, NY 14615-5397, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: GUILLERMO R SAAR

Address: NYSDEC - REGION 8

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Avon, NY 14414

Phone:5852265391

Division of Air Resources:

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6274 E AVON LIMA RD

AVON, NY 14414-9519

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Air Permitting Contact:

Name: GARY WINBURN

Address: ROCHESTER SILVER WORKS LLC

PO BOX 15397

ROCHESTER, NY 14615-5397

Phone:5857431622

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

Application for renewal of Air Title V Facility.



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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.

Facility Description:

Rochester Silver Works (previously Kodak's Silver Recovery Operations) are located in Bldgs 101, 110, 138, 143, 145 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 U00019 - SILVER FLOW SILVER NITRATE OPERATIONS AND ASSOCIATED FUGITIVE EMISSIONS



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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 REFINING AND PURIFICATION OPERATIONS WITH ASSOCIATED FUGITIVE EMISSIONS

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

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

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

Emission unit U00078 is associated with the following emission points (EP):
11004, 110B3, 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 WITH MISCELLANEOUS FUGITIVE EMISSION 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. THESE WASHERS REMOVE COATINGS & EMULSIONS FROM FILM SCRAP PRODUCTS

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

Emission unit FAC001 - FACILITY EMISSION UNIT FOR SOLVENT METAL PARTS CLEANERS,

Process: 226 is located at Building 110 - SOLVENT METAL CLEANING MACHINES WITH 6



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NYCRR PART 226 APPLICABILITY WHICH WOULD OTHERWISE BE EXEMPT OR TRIVIAL CONSISTENT WITH PART 201-3.

Title V/Major Source Status

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

The 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 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 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)	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, 6 NYCRR 231-7, 231-8) - 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 231-5, 231-6) - 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, 6 NYCRR 200.10) - 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, 6 NYCRR 200.10) - contaminant



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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, 6 NYCRR 200.10) - 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, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - 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 212-3, 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, 6 NYCRR 200.10) - 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



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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
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
5-03-007-02	Entire Unit 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 for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. 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



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identified in the list below by the (HAP) designation.

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
000109-86-4	2-METHOXYETHANOL		14.016		
000091-57-6	2-METHYLNAPHTHALENE		0.0000175		
000115-11-7	2-METHYLPROPENE		0.974		
000075-07-0	ACETALDEHYDE		0.0265		
007664-41-7	AMMONIA		2.5405		
007440-36-0	ANTIMONY		0.0629		
007440-38-2	ARSENIC		0.00036		
007440-39-3	BARIUM		0.0027		
000071-43-2	BENZENE		0.0875		
007440-41-7	BERYLLIUM		0.000065		
007726-95-6	BROMINE		0.7445		
000071-36-3	BUTANOL		11.9315		
007440-43-9	CADMIUM		0.0007		
000075-15-0	CARBON DISULFIDE		0.1515		
000630-08-0	CARBON MONOXIDE		0.5255		
000463-58-1	CARBONYLSULFIDE		0.0615		
007782-50-5	CHLORINE		0.438		
000108-90-7	CHLOROBENZENE		0.65		
000067-66-3	CHLOROFORM		0.245		
007440-47-3	CHROMIUM		0.007		
018540-29-9	CHROMIUM(VI)		0.00023		
007440-48-4	COBALT		0.015		
007440-50-8	COPPER		0.013		
000110-82-7	CYCLOHEXANE		24.204		
000075-09-2	DICHLOROMETHANE		4.255		
000624-92-0	DIMETHYLDISULFIDE		0.00775		
000067-64-1	DIMETHYLBENZENE		6.957		
000075-18-3	DIMETHYLSULFIDE		0.0078		
000071-55-6	ETHANE, 1,1,1-TRICHLORO		4.38		
000075-00-3	ETHANE, CHLORO		1.139		
000141-78-6	ETHYL ACETATE		0.1315		
000064-17-5	ETHYL ALCOHOL (ETHANOL)		0.1825		
000100-41-4	ETHYLBENZENE		0.355		
010035-10-6	HYDROGEN BROMIDE		0.4575		
007647-01-0	HYDROGEN CHLORIDE	456			
007664-39-3	HYDROGEN FLUORIDE		0.0475		
007783-06-4	HYDROGEN SULFIDE		3.204		
010034-85-2	IODIDE		15.9905		
007553-56-2	IODINE		14.3665		
000067-63-0	ISOPROPYL ALCOHOL		0.638		



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007439-92-1	LEAD	0.0835
007439-96-5	MANGANESE	0.001
007439-97-6	MERCURY	0.000215
000074-82-8	METHANE	2.3195
000074-93-1	METHANETHIOL	0.00065
000067-56-1	METHYL ALCOHOL	5.666
000074-83-9	METHYL BROMIDE	0.04925
000074-87-3	METHYL CHLORIDE	0.295
000078-93-3	METHYL ETHYL KETONE	0.0815
000091-20-3	NAPHTHALENE	0.000028
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	0.0015
007697-37-2	NITRIC ACID	6.088
007761-88-8	NITRIC ACID SILVER (1+) SALT	0.0035
010102-43-9	NITRIC OXIDE	9.45
0NY210-00-0	OXIDES OF NITROGEN	23.375
0NY075-00-0	PARTICULATES	47.062
0NY075-00-5	PM-10	22
000078-87-5	PROPANE, 1,2- DICHLORO	16.393
000107-13-1	PROPENENITRILE	0.125
001070-71-9	PROPIOLONITRIL E	0.107
000115-07-1	PROPYLENE	0.0795
007782-49-2	SELENIUM	0.00505
007440-22-4	SILVER	14.257
000100-42-5	STYRENE	0.6
007446-09-5	SULFUR DIOXIDE	12.3645
007664-93-9	SULFURIC ACID 35663	
007440-28-0	THALLIUM	0.0015
000110-02-1	THIOPHENE	0.044
000108-88-3	TOLUENE	0.0235
0NY100-00-0	TOTAL HAP	36.0735
103495-51-8	TRICYCLO HEX- 3-ENE-3- CARBONITRILE	0.1315
000075-01-4	VINYL CHLORIDE	0.1035
0NY998-00-0	VOC	23.377
001330-20-7	XYLENE, M, O & P MIXT.	0.125
007440-66-6	ZINC	0.0415

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: 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



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6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item B: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(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 C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(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 D: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(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 E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(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 F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(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 G: Property Rights - 6 NYCRR 201-6.4(a)(6)

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

Item H: Severability - 6 NYCRR Part 201-6.4(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 I: Permit Shield - 6 NYCRR Part 201-6.4(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



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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 J: Reopening for Cause - 6 NYCRR Part 201-6.4(i)

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

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

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

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



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Item K: 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 L: 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: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;
 - (3) During the period of the emergency the facility owner 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 or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of



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proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item_02

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

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

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

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY	ECL 19-0301	58	Powers and Duties of the Department with respect to air pollution control
U-00063/101A2/H29/101AJ	40CFR 52-A.21	44, 45, 46, 47	Prevention of Significant Deterioration
FACILITY	40CFR 61-M	29	Asbestos standards for: asbestos mills, manufacturing operations using asbestos, and other sources
U-00063/101A2/H29/101AJ	40CFR 63- DDDDD.7540(a)	48	ICI Boiler Major Source NESHAP - Continuous Compliance
FACILITY	40CFR 64.7	30	CAM - Operation of approved monitoring
FACILITY	40CFR 64.8	31	CAM - Quality improvement plan (QIP) requirements
FACILITY	40CFR 64.9	32	CAM - Reporting and recordkeeping requirements
FACILITY	40CFR 68	19	Chemical accident prevention provisions
FACILITY	40CFR 82-F	20	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient



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FACILITY	6NYCRR 200.7	10	air quality.
FACILITY	6NYCRR 201-1.4	59	Maintenance of equipment.
FACILITY	6NYCRR 201-1.7	11	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage
FACILITY	6NYCRR 201-3.2(a)	13	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.3(a)	14	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-6	21, 33, 34	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6.4(a)(4)	15	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(7)	2	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(8)	16	General Conditions - Fees
FACILITY	6NYCRR 201-6.4(c)	3	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4(c)(2)	4	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4(c)(3)(ii)	5	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4(d)(4)	22	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4(e)	6	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4(f)	23	Compliance Certification
FACILITY	6NYCRR 201-6.4(f)(6)	17	Operational Flexibility
FACILITY	6NYCRR 202-1.1	18	Off Permit Changes
FACILITY	6NYCRR 202-2.1	7	Required emissions tests.
FACILITY	6NYCRR 202-2.5	8	Emission Statements - Applicability
FACILITY	6NYCRR 207	24	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	25	Control Measures for an Air Pollution Episode
FACILITY	6NYCRR 211.2	60	General Prohibitions - air pollution prohibited
U-00078/110C6/H38/110AQ	6NYCRR 212-1.5(d)	52	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212-1.6(a)	26	BACT or T-BACT for process emission sources
U-	6NYCRR 212-1.6(a)	50	Limiting of Opacity



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00063/101A3/H29/101AI FACILITY	6NYCRR 212-2	61	Allowable Emissions
U-	6NYCRR 212-2	68	Allowable Emissions
00063/101A2/H29/101AJ U-	6NYCRR 212-2.1	69	Requirements
00063/101A2/H29/101AJ U-	6NYCRR 212-2.3(b)	63	State Air Program Non-Criteria air contaminants subject Table 4
00063/101A2/H29/10102 U-	6NYCRR 212-2.3(b)	64, 65, 66, 67	State Air Program Non-Criteria air contaminants subject Table 4
00063/101A2/H29/10115 U-	6NYCRR 212-2.3(b)	70, 71, 72, 73	State Air Program Non-Criteria air contaminants subject Table 4
00063/110A1/H34/11005 U-	6NYCRR 212-2.3(b)	74	State Air Program Non-Criteria air contaminants subject Table 4
00063/110A1/H34/110AE U-	6NYCRR 212-2.3(b)	75, 76, 77	State Air Program Non-Criteria air contaminants subject Table 4
FACILITY	6NYCRR 212-2.4(b)	27	Control of Particulate from New and Modified Process Emission Sources
U- 00063/10105/H31/10112	6NYCRR 212-2.4(b)	38	Control of Particulate from New and Modified Process Emission Sources
U- 00063/10105/H31/101AB	6NYCRR 212-2.4(b)	39	Control of Particulate from New and Modified Process Emission Sources
U- 00063/101A2/H29/10115	6NYCRR 212-2.4(b)	40, 41	Control of Particulate from New and Modified Process Emission Sources
U- 00063/101A3/H29/10104	6NYCRR 212-2.4(b)	49	Control of Particulate from New and Modified Process Emission Sources
U- 00078/110D0/H43/11009	6NYCRR 212-2.4(b)	54	Control of Particulate from New and Modified Process Emission Sources
U- 00078/110D1/H43/11006	6NYCRR 212-2.4(b)	55	Control of Particulate from New and Modified Process Emission Sources
U- 00078/110D2/H43/11007	6NYCRR 212-2.4(b)	56	Control of Particulate from New and Modified Process Emission Sources
U- 00078/110D3/H43/11008	6NYCRR 212-2.4(b)	57	Control of Particulate from New and Modified Process Emission Sources
U- 00019/14302/H39/14303	6NYCRR 212-3.1(c)(3)	36, 37	RACT compliance plans for NOx emission



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U- 00063/101A2/H29/101AJ	6NYCRR 212-3.1(c)(3)	42	points RACT compliance plans for NOx emission
U- 00063/11002/H33/11003	6NYCRR 212-3.1(c)(3)	51	points RACT compliance plans for NOx emission
U- 00063/101A2/H29/101AJ	6NYCRR 212- 3.1(c)(4)(i)	43	points RACT compliance plan control limits for Capture and Control
U- 00078/110C6/H38/110AQ	6NYCRR 212- 3.1(c)(4)(ii)	53	Waiver provision from the capture and control requirements or surface coating limits
FACILITY F-AC001	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 226	35	SOLVENT METAL CLEANING PROCESSES
FACILITY	6NYCRR 231-11.2(b)	28	Reasonable Possibility requirements for insignificant mods - less than 50% with excluded emissions
FACILITY	6NYCRR 231-11.2(c)	62	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



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6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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



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designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

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

6 NYCRR 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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 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.



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40 CFR Part 68

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

40 CFR Part 82, Subpart F

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

Facility Specific Requirements

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 63.7540 (a)

This condition states how to demonstrate continuous compliance with emission limits, work practice standards, and operating limits.

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 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.



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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 201-6.4 (f)

This section describes the operational flexibility protocol proposed by the facility. The protocol will allow the facility owner or operator to make certain changes at the facility without the need for a permit modification. Changes made pursuant to the protocol must be approved by the Department, and will be rolled into the permit during the next renewal or modification.

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 212-1.5 (d)

This provision allows for the department to specify a less restrictive permissible emission rate or degree of air cleaning for the process emission source or emission point than required under Subpart 212-2 in instances where a facility owner or operator can demonstrate to the satisfaction of the department that the facility owner will apply the Best Available Control Technology (BACT) for that criteria air contaminant or the Best Available Control Technology for a toxic air contaminant (T- BACT).

6 NYCRR 212-1.6 (a)

This provisions requires that the facility owner or operator not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water.

6 NYCRR 212-2.1

Emissions of air contaminants to the outdoor atmosphere from any process emission source or emission point are restricted as follows:

(a) For an air contaminant listed in section 212-2.2 table 2 – high toxicity air



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contaminant list, of this Subpart, the facility owner or operator shall either limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC; or demonstrate compliance with the air cleaning requirements for the HTAC as specified in subdivision 212-2.3(b), table 4 – degree of air cleaning required for non-criteria air contaminants, of this Subpart for the environmental rating assigned to the contaminant by the department.

(b) For any air contaminant not listed on table 2, unless it is a solid particulate described in subdivision (c) of this section, the facility owner or operator shall not allow emissions of an air contaminant to violate the requirements specified in subdivision 212-2.3(a), table 3 – degree of air cleaning required for criteria air contaminants of this Subpart, or subdivision 212-2.3(b), table 4 – degree of air cleaning required for non-criteria air contaminants of this Subpart, as applicable, for the environmental rating assigned to the contaminant by the department.

(c) For a solid particulate assigned an environmental rating of B or C emitted from a process emission source, the facility owner or operator shall not allow emissions of particulate to exceed the requirements specified in section 212-2.4 of this Subpart.

6 NYCRR 212-2.3 (b)

Table 4 of 212-2.3 describes the reduction in emissions required for a non-criteria air contaminant based on its uncontrolled emission rate. The uncontrolled emission rate in conjunction with the assigned environmental rating determines the degree of controlled applied.

6 NYCRR 212-2.4 (b)

Particulate emissions from any process emission source, which received a B or C Environmental Rating, and for which an application was received by the department after July 1, 1973 are restricted to 0.050 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

6 NYCRR 212-3.1 (c) (3)

This provision states that owners and/or operators of emission points subject to Part 212-3 must submit a compliance plan to the department by October 20, 1994 or upon startup. The RACT compliance plan for NO_x emission points must include technically feasible control strategies to minimize NO_x formation and emission control equipment alternatives. These process specific RACT demonstrations that are acceptable to the department will be submitted to the United States Environmental Protection Agency for approval as a revision to the State Implementation Plan by the department.



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6 NYCRR 212-3.1 (c) (4) (i)

This provision states that owners and/or operators of emission points subject to Part 212-3 operating prior to October 20, 1994 must submit a compliance plan to the department. The compliance plan must demonstrate that the VOC emission points are equipped with a capture system and a control device with an overall removal efficiency of at least 81 percent.

6 NYCRR 212-3.1 (c) (4) (iii)

This provision states that if owners and/or operators can show to the satisfaction of the department that an emission point cannot achieve an overall removal efficiency of 81 percent or use coatings not exceeding 3.5 pounds VOC per gallon as applied (minus water and excluded VOC) for reasons of technological or economic feasibility, the department may accept a lesser degree of control upon submission of satisfactory evidence that the facility owner or operator will apply reasonably available control technology.

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 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.



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6 NYCRR Part 226

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

6 NYCRR Subpart 212-2

Requires the facility to monitor all contaminants not otherwise listed in the permit which may not require control. The facility is required to assign an environmental rating to all contaminants and demonstrate to the department that the emission rate potential (ERP) does not exceed the limits set forth in 212-2.3(b) table 4 for uncontrolled emissions.

Compliance Certification

Summary of monitoring activities at ROCHESTER SILVER WORKS:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
U-00063/101A2/H29/101AJ	44	record keeping/maintenance procedures
U-00063/101A2/H29/101AJ	45	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-00063/101A2/H29/101AJ	47	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	48	record keeping/maintenance procedures
FACILITY	30	record keeping/maintenance procedures
FACILITY	31	record keeping/maintenance procedures
FACILITY	32	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-00078/110C6/H38/110AQ	52	record keeping/maintenance procedures
FACILITY	26	monitoring of process or control device parameters as surrogate
U-00063/101A3/H29/101AI	50	continuous emission monitoring (cem)
FACILITY	61	record keeping/maintenance procedures
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/H29/10102	63	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/10115	64	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/10115	65	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/10115	66	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/10115	67	record keeping/maintenance procedures
U-00063/101A2/H29/101AJ	70	record keeping/maintenance procedures
U-00063/101A2/H29/101AJ	71	record keeping/maintenance procedures



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U-00063/101A2/H29/101AJ	72	record keeping/maintenance procedures
U-00063/101A2/H29/101AJ	73	record keeping/maintenance procedures
U-00063/110A1/H34/11005	74	monitoring of process or control device parameters as surrogate
U-00063/110A1/H34/110AE	75	record keeping/maintenance procedures
U-00063/110A1/H34/110AE	76	record keeping/maintenance procedures
U-00063/110A1/H34/110AE	77	record keeping/maintenance procedures
FACILITY	27	record keeping/maintenance procedures
U-00063/10105/H31/10112	38	monitoring of process or control device parameters as surrogate
U-00063/10105/H31/101AB	39	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/10115	40	record keeping/maintenance procedures
U-00063/101A2/H29/10115	41	monitoring of process or control device parameters as surrogate
U-00063/101A3/H29/10104	49	monitoring of process or control device parameters as surrogate
U-00078/110D0/H43/11009	54	record keeping/maintenance procedures
U-00078/110D1/H43/11006	55	record keeping/maintenance procedures
U-00078/110D2/H43/11007	56	record keeping/maintenance procedures
U-00078/110D3/H43/11008	57	record keeping/maintenance procedures
U-00019/14302/H39/14303	36	monitoring of process or control device parameters as surrogate
U-00019/14302/H39/14303	37	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	42	record keeping/maintenance procedures
U-00063/11002/H33/11003	51	monitoring of process or control device parameters as surrogate
U-00063/101A2/H29/101AJ	43	monitoring of process or control device parameters as surrogate
U-00078/110C6/H38/110AQ	53	record keeping/maintenance procedures
F-AC001	35	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures
FACILITY	62	record keeping/maintenance procedures

Basis for Monitoring

40 CFR Part 63 Subpart ZZZZ

The Department has not accepted delegation of 40 CFR Part 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 63 Subpart ZZZZ during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

6NYCRR Part 201-6

Requires record keeping, reporting and Department staff access to facility for inspections.

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

Requires compliance certification reporting.

6NYCRR Part 201-6.5(e)

Sets compliance reporting requirements.

6NYCRR Part 201-6.5(f)

This facility-specific condition 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



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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.

6 NYCRR Part 201-6.5(g)

This is the citation used to reference non-applicable requirements, such as 6 NYCRR Part 231-2.

6NYCRR Part 202-1

Requires testing and reporting of particulate emissions to demonstrate compliance with existing permit.

6NYCRR Part 202-2.1

Sets emission statement reporting deadline.

6NYCRR Part 229.5(d)

Requires record keeping of VOC storage tank capacity.

40 CFR 60 Subpart A

Sets general conditions for determination, recording and reporting of compliance with New Source Performance Standards (NSPS).

40 CFR 60-D.42(a)(2)

Sets boiler opacity emissions limits and requires continuous monitoring to demonstrate compliance.