



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

Facility Identification Data

Name: CORNING DIESEL MANUFACTURING FACILITY
Address: 890 ADDISON RD (ST RTE 417)
PAINTED POST, NY 14870

Owner/Firm

Name: CORNING INC
Address: ER-DN-01
CORNING, NY 14831, USA
Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:
Name: ROGER T MCDONOUGH
Address: 6274 EAST AVON LIMA RD
AVON, NY 14414-9519
Phone:5852262466

Division of Air Resources:
Name: YUAN ZENG
Address: NYSDEC REGION 8 HQ
6274 E AVON - LIMA RD
AVON, NY 14414-9519
Phone:5852262466

Air Permitting Contact:
Name: RONALD R RESUE, JR
Address: CORNING INC - ERWIN MANUFACTURING COMPLEX
ADDISON - S HAMILTON RD
PAINTED POST, NY 14870
Phone:6079741488

**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

CONSISTENT WITH THE REQUIREMENTS OF PART 201-6, THIS TITLE V PERMIT APPLICATION IS BEING SUBMITTED WITHIN ONE YEAR OF THE FACILITY'S 1 JANUARY 2004 INITIAL OPERATIONS DATE UNDER STATE FACILITY CONSTRUCTION PERMIT 8-4642-00108/00001.



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

Attainment Status

CORNING DIESEL MANUFACTURING FACILITY is located in the town of ERWIN in the county of STEUBEN.

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:

THE FACILITY MANUFACTURES CERAMIC FILTERS AND SUBSTRATES FOR DIESEL ENGINE EMISSION CONTROL DEVICES. IT INCLUDES RAW MATERIAL TRANSFER, BATCHING, EXTRUSION, DRYING, CUTTING AND KILN FIRING OPERATIONS.

Permit Structure and Description of Operations

The Title V permit for CORNING DIESEL MANUFACTURING FACILITY 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.

CORNING DIESEL MANUFACTURING FACILITY is defined by the following emission unit(s):



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

Emission unit U00001 - THIS EMISSION UNIT CONSISTS OF A RAIL CAR AND TRUCK UNLOADING AND TRANSFER AREA, BATCH SILO STORAGE AND SCREENING AREA, DRY BATCH MIX AREA, LIQUID BATCH UNLOADING AREA, WET TOWER MIX AREA, PLUGGING AREA, AND CUTTING, SKINNING, CONTOURING AND FINISHING OPERATIONS.

Emission unit U00001 is associated with the following emission points (EP):

E0002, E0003, E0004, E0005, E0006, E0007, E0008, E0018

Process: P01 is located at Building 1 - THIS PROCESS CONSISTS OF RAW MATERIAL UNLOADING, BATCH PREPARATION, WET TOWER MIXING, AND EXEMPT SOLID MATERIAL STORAGE SILOS.

Process: P02 is located at Building 1 - THIS PROCESS CONSISTS OF CUTTING, SKINNING, CONTOURING AND FINISHING OPERATIONS.

Emission unit U00002 - THIS EMISSION UNIT CONSISTS OF THREE OIL STORAGE TANKS.

Emission unit U00002 is associated with the following emission points (EP):

E0009, E0010, E0011

Process: P03 is located at Building 1 - THIS PROCESS INCLUDES THREE OIL STORAGE TANKS.

Emission unit U00003 - THIS EMISSION UNIT CONSISTS OF THE DRYING OPERATIONS.

Emission unit U00003 is associated with the following emission points (EP):

E0012, E0013, E0014, E0015, E0016, E0017

Process: P04 is located at Building 1 - THIS PROCESS INCLUDES THE DRYING OF EXTRUDED CERAMIC, INCLUDING EXEMPT GAS-FIRED PREHEATERS. THE OIL MIST ELIMINATORS WILL BE DESIGNED TO REMOVE POTENTIAL LIQUID PARTICULATES AND MINIMIZE OPACITY FROM THE LOG AND PLUG DRYERS.

Emission unit U00005 - THIS EMISSION UNIT CONSISTS OF MISCELLANEOUS TRIVIAL AND EXEMPT COMBUSTION SOURCES.

Emission unit U00005 is associated with the following emission points (EP):

E0027, E0028, E0029, E0030, E0032, E0033, E0035, E0037, E0062, E0063, E0064, E0065, E0066, E0067, E0070, E0071, E0072, E0073, E0074, E0075, E0076, E0077, E0078, E0079, E0080, E0081, E0082, E0083, E0084, E0085, E0086, E0087, E0088, E0089, E0090, E0091, E0092, E0093, E031A, E031B, E031C, E031D, E3801, E3802, E3803, E3804, E3805, E3806, E3807, E3808, E3809, E3810, E3811, E3812, E3813, E3814, E3815, E3816, E3817, E3818, E3819, E3820, E3821, E3822, E3823, E3824, E3825, E3826, E3827, E3828, E3829, E3830, E3831, E3832, S0094, S0095, S0096, S0097, S0098, S0099, S0100

Process: P07 is located at Building 1 - THIS PROCESS INCLUDES MISCELLANEOUS EXEMPT NATURAL GAS AND DIESEL-FUELED COMBUSTION UNITS.

Emission unit U00004 - THIS EMISSION UNIT CONSISTS OF PERIODIC AND TUNNEL KILNS AND ASSOCIATED EMISSION CONTROL DEVICES.

Emission unit U00004 is associated with the following emission points (EP):

E0019, E0020, E0021, E0022, E023A, E023B, E024A

Process: P05 is located at Building 1 - THIS PROCESS INCLUDES PERIODIC AND TUNNEL KILNS FOR FIRING CERAMIC WARE.

Emission unit U00006 - THIS EMISSION UNIT CONSISTS OF A DRY BATCH MIX AREA, BATCH TRANSFER AREA, WET TOWER MIX AREA, DRYING AND CUTTING AREAS FOR GREEN



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

CERAMIC, AS WELL AS TWO TUNNEL KILNS WITH EMISSIONS CONTROL DEVICES.

Emission unit U00006 is associated with the following emission points (EP):

E0601, E0602, E0603, E0604, E0605, E0630, E0631, E0640, E0641, E0642, E0645, E0646, E0647, E0660, E0661, E620A, E620B, E621A, E621B

Process: P08 is located at Building 1 - THIS PROCESS INCLUDES BATCH PREPARATION, WET TOWER MIXING, CUTTING OF EXTRUDED GREEN CERAMIC, DRYING OF EXTRUDED CERAMIC, INCLUDING EXEMPT GAS FIRED PREHEATERS. OIL MIST ELIMINATORS ARE DESIGNED TO REMOVE POTENTIAL LIQUID PARTICULATE EMISSIONS AND MINIMI ZE OPACITY FROM THE DRYERS.

Process: P09 is located at Building 1 - THIS PROCESS CONSISTS OF TUNNEL KILNS 3 AND 4 AND ASSOCIATED EMISSIONS CONTROL DEVICES FOR FIRING EXTRUDED CERAMIC WARE.

Process: P10 is located at Building 1 - THIS PROCESS CONSISTS OF MISCELLANEOUS EXEMPT/TRIVIAL COMBUSTION UNITS.

Emission unit U00007 - This emission unit contains project-specific emission caps in order to assure the non-applicability of PSD under 6NYCRR Part 231-8

Emission unit U00007 is associated with the following emission points (EP):

E0701

Process: P11 is located at Building 1 - Cutting, grinding, contouring, skinning and finishing

Title V/Major Source Status

CORNING DIESEL MANUFACTURING FACILITY is subject to Title V requirements. This determination is based on the following information:

The Corning Diesel Manufacturing Facility meets the definition of a Major Source in 6NYCRR Part 201-2.1(b)(21) due to potential emissions of Particulates, NOx, and CO in excess of 100 tons per year each, and VOC in excess of 50 tons per year.

The facility's potential to emit Carbon Monoxide (CO) exceeds 250 tons per year. Therefore the Corning Diesel Manufacturing Facility is a major stationary source for the purpose of 40CFR52.21 Prevention of Significant Deterioration of Air quality.

Program Applicability

The following chart summarizes the applicability of CORNING DIESEL MANUFACTURING FACILITY with regards to the principal air pollution regulatory programs:

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

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
10/19/2010

NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

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

NSR New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

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

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

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

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

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

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

3299

NONMETALLIC MINERAL PRODUCTS

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

1-02-006-03

EXTERNAL COMBUSTION BOILERS - INDUSTRIAL
INDUSTRIAL BOILER - NATURAL GAS
Less Than 10 MMBtu/Hr

3-05-008-01

MINERAL PRODUCTS
MINERAL PRODUCTS - CERAMIC CLAY/TILE
MANUFACTURE

3-05-008-02

Drying
MINERAL PRODUCTS
MINERAL PRODUCTS - CERAMIC CLAY/TILE
MANUFACTURE

3-05-008-03

Grinding
MINERAL PRODUCTS
MINERAL PRODUCTS - CERAMIC CLAY/TILE
MANUFACTURE

3-05-008-12

Storage
MINERAL PRODUCTS
MINERAL PRODUCTS - CERAMIC CLAY/TILE
MANUFACTURE

3-05-008-99

GLAZING & FIRING KILN
MINERAL PRODUCTS
MINERAL PRODUCTS - CERAMIC CLAY/TILE
MANUFACTURE
Other Not Classified

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
 10/19/2010

4-90-999-98

ORGANIC SOLVENT EVAPORATION
 MISCELLANEOUS VOLATILE ORGANIC COMPOUND
 EVAPORATION
 Identify the Process and Solvent in
 Comments

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
000630-08-0	CARBON MONOXIDE	696000	
007647-01-0	HYDROGEN CHLORIDE		> 0 but < 10 tpy
007664-39-3	HYDROGEN FLUORIDE		> 0 but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN	276000	
0NY075-00-0	PARTICULATES	498000	
0NY075-02-5	PM 2.5		>= 100 tpy but < 250 tpy
0NY075-00-5	PM-10		>= 100 tpy but < 250 tpy
007446-09-5	SULFUR DIOXIDE		> 0 but < 2.5 tpy
0NY998-00-0	VOC	322000	

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

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
10/19/2010

all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

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

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

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

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

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, 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)

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
10/19/2010

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

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

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

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

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

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

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
10/19/2010

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

Item L: Permit Exclusion - ECL 19-0305

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

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
 10/19/2010

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	98	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 52-A.21	44, 45	Prevention of Significant Deterioration
FACILITY	40CFR 60-A	46	General provisions
FACILITY	40CFR 60-III.4205 (b)	47	Emission Standards - 2007 or later
FACILITY	40CFR 60-III.4206	48	Emergency Non Fire Pump Stationary CI-IC Engines Displacing < 30 liters/cylinder
FACILITY	40CFR 60-III.4207 (a)	49	Stationary Compression Ignition IC Engines - Duration of Emission Standards
FACILITY	40CFR 60-III.4207 (b)	50	Stationary Compression Ignition IC Engine - Fuel requirements beginning October 1, 2007
FACILITY	40CFR 60-III.4207 (c)	51	Stationary Compression Ignition IC Engines - Fuel Requirements beginning October 1, 2010
FACILITY	40CFR 60-III.4209 (a)	52	Variance for non-compliant fuel - Pre-2011 Model Year Stationary CI-IC engines
FACILITY	40CFR 60-III.4211 (a)	53	Monitoring requirement - Emergency stationary CI-IC engine
FACILITY	40CFR 60-III.4211 (c)	54	Stationary Compression Ignition Engines - Compliance Requirements
FACILITY	40CFR 60-III.4211 (e)	55	Stationary Compression Ignition Engines - Compliance Demonstration
FACILITY	40CFR 60-III.4214 (b)	56	Stationary IC Engine: Maintenance for emergency engines
FACILITY			Notification, Recordkeeping Requirements - Non-emergency stationary CI-IC engines

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
10/19/2010

FACILITY	40CFR 60-000.670 (a) (1)	57	Rock, gravel, sand and clay processing and conveying
FACILITY	40CFR 60-000.672 (a)	58, 59, 60, 61	Rock, gravel, sand, and clay processing and conveying - standard for particulate matter
U-00001/E0003/P01/C0003	40CFR 60-000.672 (a)	75	Rock, gravel, sand, and clay processing and conveying - standard for particulate matter
U-00006/E0601	40CFR 60-000.672 (a)	92	Rock, gravel, sand, and clay processing and conveying - standard for particulate matter
U-00001	40CFR 60-000.672 (e) (1)	73	Rock, gravel, sand, and clay processing and conveying - standard for particulate matter
U-00006/E0601	40CFR 60-000.674 (c)	93	Rock, gravel, sand and clay processing and conveying - monitoring of operations
FACILITY	40CFR 60-000.675	62	Rock, gravel, sand, and clay processing and conveying - test methods and procedures
U-00006/E0601	40CFR 60-000.676 (b) (1)	94	Subpart 000 - Nonmetallic Mineral Processing Plants - Reporting requirements for wet suppression/baghouses
U-00001	40CFR 60-000.676 (f)	74	Rock, gravel, sand, and clay processing and conveying - reporting and recordkeeping
FACILITY	40CFR 60-000.676 (h)	63	Rock, gravel, sand, and clay processing and conveying - reporting and recordkeeping - Notification of initial startup
FACILITY	40CFR 60-000.676 (i)	64	Rock, gravel, sand and clay processing and conveying - Notification of initial startup
U-00004	40CFR 63-B.43 (c)	80, 81, 82, 83	Case By Case MACT Review Options
U-00004	40CFR 63-B.43 (d)	84	General Principles of Case-by-Case MACT Determinations
U-00004	40CFR 63-B.43 (g) (2) (iv)	85	Case-By-Case MACT General Provisions Applicability
U-00004	40CFR 63-B.43 (k)	86	Compliance Date for

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
10/19/2010

U-00004	40CFR 63-B.43 (1)	87	case-by-case MACT determinations
U-00004	40CFR 63-B.44	88	Compliance with MACT determinations
FACILITY	40CFR 63-ZZZZ.6590 (c)	67	Requirements for Major Sources Subject to Subsequently Promulgated MACT Standard
FACILITY	40CFR 63-ZZZZ.6595 (a) (1)	68	Stationary RICE subject to Regulations under 40 CFR Part 60
FACILITY	40CFR 63-ZZZZ.6640	66	Reciprocating Internal Combustion Engine (RICE) NESHAP - Compliance date for existing sources
FACILITY	40CFR 63-ZZZZ.6655	65	Stationary Reciprocating Internal Combustion Engines - Compliance Requirements
FACILITY	40CFR 64	69, 70	Stationary Reciprocating Internal Combustion Engines - Record keeping requirements
FACILITY	40CFR 68	21	COMPLIANCE ASSURANCE MONITORING
FACILITY	40CFR 82-F	22	Chemical accident prevention provisions
FACILITY	6NYCRR 200.6	1	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.7	10	Acceptable ambient air quality.
FACILITY	6NYCRR 201-1.4	99	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	23, 71, 72	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6.5 (a) (4)	15	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.5 (a) (7)	2	General conditions
FACILITY	6NYCRR 201-6.5 (a) (8)	16	General conditions
FACILITY	6NYCRR 201-6.5 (c)	3	Fees
FACILITY	6NYCRR 201-6.5 (c) (2)	4	General conditions Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY			Permit conditions for

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
10/19/2010

FACILITY	6NYCRR 201-6.5(c)(3)(ii)	5	Recordkeeping and Reporting of Compliance Monitoring Permit conditions for 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)	24	Operational flexibility
FACILITY	6NYCRR 201-6.5(f)(6)	18	Off Permit Changes
FACILITY	6NYCRR 201-6.5(g)	25, 26	Permit shield
FACILITY	6NYCRR 201-7	27, 28, 29	Federally Enforceable Emissions Caps
FACILITY	6NYCRR 201-7.1	30	Federally Enforceable Emissions Caps
U-00007	6NYCRR 201-7.1	95	Federally Enforceable Emissions Caps
U-00007/-/P11	6NYCRR 201-7.1	96	Federally Enforceable Emissions Caps
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 211.2	100	General Prohibitions - air pollution prohibited.
FACILITY	6NYCRR 211.3	20	General Prohibitions - visible emissions limited
FACILITY	6NYCRR 212.10(c)(3)	37, 38	NOx and VOC RACT required at major facilities
U-00006/-/P09	6NYCRR 212.10(c)(4)(i)	91	NOx and VOC RACT required at major facilities
FACILITY	6NYCRR 212.10(f)	39	NOx and VOC RACT required at major facilities
FACILITY	6NYCRR 212.4(a)	101, 102, 103, 104	General Process Emission Sources - emissions from new sources and/or modifications
U-00006	6NYCRR 212.4(a)	105	General Process Emission Sources - emissions from new sources and/or modifications
FACILITY	6NYCRR 212.4(c)	31, 32, 33, 34	General Process Emission Sources - emissions from new processes and/or modifications
U-00001/E0018/P02/C0018	6NYCRR 212.4(c)	76	General Process Emission Sources - emissions from new processes and/or modifications
U-00006	6NYCRR 212.4(c)	90	General Process



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

U-00007/-/P11	6NYCRR 212.4 (c)	97	Emission Sources - emissions from new processes and/or modifications General Process
FACILITY	6NYCRR 212.6 (a)	35, 36	Emission Sources - emissions from new processes and/or modifications General Process
FACILITY	6NYCRR 215.2	9	Emission Sources - opacity of emissions limited
FACILITY	6NYCRR 225-1.2 (a) (2)	40	Open Fires - Prohibitions
FACILITY	6NYCRR 226	41	Sulfur in Fuel Limitations Post 12/31/87.
FACILITY	6NYCRR 227-1.3 (a)	42	SOLVENT METAL CLEANING PROCESSES Smoke Emission Limitations.
U-00002	6NYCRR 229.3 (e) (2) (v)	77	Volatile organic liquid storage tanks
FACILITY	6NYCRR 231-2.2	28, 29	Applicability
U-00003	6NYCRR 231-2.5	78	Lowest achievable emission rate, LAER
U-00004	6NYCRR 231-2.5	79	Lowest achievable emission rate, LAER
U-00005	6NYCRR 231-2.5	89	Lowest achievable emission rate, LAER
FACILITY	6NYCRR 231-2.9	43	Emission offsets
U-00007	6NYCRR 231-8	95	Mods to Existing Major Facilities in Attainment Areas (PSD)
U-00007/-/P11	6NYCRR 231-8	96	Mods to Existing Major Facilities in Attainment Areas (PSD)

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 8-4642-00108/00002
10/19/2010

applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 8-4642-00108/00002
10/19/2010

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

6 NYCRR 201-6.5 (c) (2)

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

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

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

6 NYCRR 201-6.5 (d) (5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, 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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 8-4642-00108/00002
10/19/2010

department representatives.

6 NYCRR 211.2

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

6 NYCRR 211.3

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

6 NYCRR 215.2

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

40 CFR Part 68

This Part lists the regulated substances and 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, CORNING DIESEL MANUFACTURING FACILITY 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 60.4205 (b)

This requirement applies to owners and operators of 2007 model year and later emergency stationary CI IC engines with a displacement less than 30 liters/cylinder that are not fire pump engines. An applicable source must comply with the emission standards for new nonroad CI engines for all pollutants (HC, PM, NO_x, NMHC + NO_x and CO) for the same model year and maximum engine power as per 40 CFR 60.4202.

40 CFR 60.4206

This requirement mandates that owners or operators of stationary compression ignition IC engines that



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

achieve the emission standards as required in 40 CFR 60.4204 and 4205 maintain the engines according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.

40 CFR 60.4207 (a)

Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(a).

40 CFR 60.4207 (b)

This regulation specifies the diesel fuel requirements for affected stationary CI ICE.

40 CFR 60.4207 (c)

This requirement applies to owners and/or operators of pre-2011 model year stationary compression ignition internal combustion engines who wish to use fuel which does not comply with the fuel requirements in 60.4207(a) or 60.4207(b). It allows the owner and/or operator of an applicable engine to petition the Administrator for approval to use remaining non-compliant fuel for the purpose of using up existing fuel inventories. If approved, any variances can be valid for a period of up to six months.

40 CFR 60.4209 (a)

The owner and/or operator of an emergency stationary compression ignition internal combustion engine subject to this subpart is required to install a non-resettable hour meter.

40 CFR 60.4211 (a)

This regulation states that the owner or operator and must comply with the emission standards specified in 40 CFR 60 Subpart IIII and must operate and maintain the stationary compression ignition internal combustion engine and control device according to the manufacturer's written instructions.

40 CFR 60.4211 (c)

This regulation specifies the compliance requirements for a 2007 model year and later stationary CI internal combustion engine and an affected CI fire pump engine.

40 CFR 60.4211 (e)

This regulation states that an emergency stationary internal combustion engine can be run, for maintenance checks, no more than 100 hours per year.

40 CFR 60.4214 (b)

This regulation states the notification and recordkeeping requirements for an emergency stationary CI internal combustion engine.



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

40 CFR 60.670 (a) (1)

This regulation states that the provisions of Subpart OOO are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of this subpart.

40 CFR 60.672 (a)

This regulation limits the opacity of emissions from a stack at a non-metallic processing facility to not greater than 7%. Further, the emissions of particulate matter from the stack may not exceed 0.022 grains per dry standard cubic feet.

40 CFR 60.672 (e) (1)

This regulation limits the opacity of fugitive emissions from a building enclosing the affected facility of 40CFR60 Subpart OOO.

40 CFR 60.674 (c)

This regulation requires quarterly opacity monitoring for non-metallic mineral processing units that use a baghouse to control particulates.

40 CFR 60.675

This regulation specifies the test method and procedures of 40CFR60 Subpart OOO.

40 CFR 60.676 (b) (1)

This regulation specifies the recordkeeping requirements for affected facilities for which construction, modification, or reconstruction commenced on or after April 22, 2008.

40 CFR 60.676 (f)

This regulation specifies the performance test reporting requirements for affected facilities of 40CFR60 Subpart OOO.

40 CFR 60.676 (h)

The notification of the anticipated date of initial startup of an affected facility shall be waived for owners or operators of affected facilities regulated under this subpart. Instead, a notification of the actual date of initial startup may be substituted..

40 CFR 60.676 (i)

This regulation requires the owner or operator of portable aggregate processing plants to notify the



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 8-4642-00108/00002
10/19/2010

administrator of the actual date of initial startup which shall include the home office and the current address or location of the portable plant.

40 CFR 63.43 (c)

This rule specifies the review options for MACT determination for owner or operator of each permit application or other application requiring a case-by-case MACT determination concerning construction or reconstruction of a major source.

40 CFR 63.43 (d)

This regulation sets forth the general principles that should govern preparation by the owner or operator of each permit application or other application requiring a case-by-case MACT determination concerning construction or reconstruction of a major source, and all subsequent review of and actions taken concerning such an application by the permitting authority. These principles are listed as follows:

- the MACT limitation/requirement must be no less stringent than the emission control which is achieved in practice by the best controlled similar source, as determined by the permitting authority.
- the MACT limitation/requirement shall achieve the maximum degree of reduction in emissions of HAP which can be achieved by utilizing those control technologies that can be identified from the available information, taking into consideration the costs of achieving such emission reduction and any non-air quality health and environmental impacts and energy requirements associated with the emission reduction.
- an applicant recommended design, equipment, work practice, or operational standard (or combination thereof) may be approved by the permitting authority if it is determined that it is not feasible to prescribe or enforce an emission limitation under the criteria set forth in section 112(h)(2) of the Act.
- the MACT limitation/requirement must consider any relevant emission standard proposed pursuant to section 112(d or h) of the Act or adopted as a presumptive MACT determination for the source category by the Administrator.

40 CFR 63.43 (g) (2) (iv)

This rule requires the compliance with 40CFR63 Subpart A requirements.

40 CFR 63.43 (k)

This rule requires that on and after the date of start-up, a constructed or reconstructed major source which is subject to this MACT requirement shall be in compliance with all applicable requirements specified in the MACT determination.

40 CFR 63.43 (l)

This rule specifies that an owner or operator of a constructed or reconstructed major source that is subject to a MACT determination shall comply with all requirements in the final Notice of MACT Approval, the title V permit, or any other final notice of approval, including but not limited to any MACT emission limitation or MACT work practice standard, and any notification, operation and maintenance, performance testing, monitoring, reporting, and recordkeeping requirements. An owner or operator of a constructed or reconstructed major source which has obtained a MACT determination shall be deemed to be in compliance with section 112(g)(2)(B) of the Act only to the extent that the constructed or reconstructed major source is in compliance with all requirements set forth in the final



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 8-4642-00108/00002
10/19/2010

Notice of MACT Approval, the title V permit, or any other final notice of approval. Any violation of such requirements by the owner or operator shall be deemed a violation of the prohibition on construction or reconstruction in section 112(g)(2)(B) for whatever period the owner or operator is determined to be in violation of such requirements, and shall subject the owner or operator to appropriate enforcement action under the Act.

40 CFR 63.44

Sections 63.44 contains the requirements for sources that underwent Case-By-Case MACT review before a MACT standard or requirement for the source category was promulgated. After promulgation, the MACT approval or Title V permit must be issued or revised to incorporate the promulgated MACT standard as appropriate. Depending on timing the source may have an extended compliance deadline up to eight years after promulgation.

40 CFR 63.6590 (c)

This regulation states that an affected source that is a new or reconstructed stationary RICE located at an area source must meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR Part 60 Subpart JJJJ, for spark ignition engines.

40 CFR 63.6595 (a) (1)

This condition lists the compliance date for engines that qualify as existing affected sources as having to be in compliance no later than June 15, 2007.

40 CFR 63.6640

This condition reduces the emissions of hazardous air pollutants from reciprocating internal combustion engines (RICE) by listing what the facility has to do to prove that it is continuously meeting the emission limits listed in this rule.

40 CFR 63.6655

This regulation sets forth the record keeping requirements for owners or operators of stationary internal combustion engines at facilities with emissions of hazardous air pollutants.

40 CFR Part 60, Subpart A

This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40 CFR Part 64

The federal Compliance Assurance Monitoring (CAM) rule, 40 CFR Part 64, requires monitoring of control device, capture system, and/or process parameters to provide a reasonable assurance of compliance with emission limitations or standards. It applies to emission units that use a control device to comply with certain standards and limitations and that have potential pre-control device emissions equal to or greater than a major source threshold.

Acid Rain program requirements; stratospheric ozone protection requirements; post-1990 New Source Performance Standards, Emission Guidelines, and National Emission Standards for Hazardous Air



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 8-4642-00108/00002
10/19/2010

Pollutants; and some other limitations are exempt from CAM. However, many of the exempt requirements are subject to less stringent periodic monitoring under 40 CFR Part 70 and 6NYCRR Subpart 201-6.

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.

6 NYCRR 201-7.1

This regulation sets forth an emission cap that cannot be exceeded by either the facility or a process within the facility.

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 (f)

Owners and/or operators must submit a RACT compliance plan with each application for a permit to construct and implement this plan when operation commences. A RACT analysis may not be required if emission levels fall below certain limits.

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 212.6 (a)

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

6 NYCRR 225-1.2 (a) (2)

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

6 NYCRR 227-1.3 (a)

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

6 NYCRR 229.3 (e) (2) (v)

This section requires the tank to be equipped with conservation vents for storage of volatile organic



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

liquids.

6 NYCRR 231-2.2

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

The purpose of Section 231-2.2 is to define what new or modified facilities are subject to the requirements set forth in the other sections of the rule. In addition, certain exemptions to the rule are also defined in this section.

6 NYCRR 231-2.5

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

Emission controls equivalent to the lowest achievable emission rate (LAER) must be implemented for each contaminant for which Subpart 231-2 is applicable for a given source project or new major facility. LAER is defined as the most stringent emission limitation achieved in practice or which can be expected to be achieved in practice for a category of emission sources taking into consideration each air contaminant which must be controlled (6 NYCRR 200.1(ak)).

6 NYCRR 231-2.9

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

credits created or obtained pursuant to 6 NYCRR 231-2.6 or obtained from a state in which New York State has a reciprocal trading agreement in place.

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 201-7

This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is

6 NYCRR Subpart 231-8

This subpart applies to modifications to existing major facilities in attainment areas (prevention of significant deterioration (PSD)).



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

Non Applicability Analysis

List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Regulation	Short Description
FACILITY	40 CFR Part 63, Subpart JJJJJ	Brick and Structural Clay NESHAP
Reason: The Diesel Ceramic Manufacturing Facility's periodic kilns of Emission Units U-00004 and U-00006 do not meet the definition of an affected source at a Brick and Structural Clay Product Manufacturing Facility, therefore these kilns are not subject to this standard.		
FACILITY	40 CFR Part 63, Subpart KKKKK	Clay Ceramics Manufacturing NESHAP
Reason: The Diesel Ceramic Manufacturing Facility does not meet the definition of a Clay Ceramics Manufacturing Facility, therefore Emission Units U-00004 and U-00006 are not subject to this standard.		
FACILITY	40 CFR Part 63, Subpart RRRRRR	Clay Ceramics Manufacturing Area Source NESHAP
Reason: The Diesel Manufacturing Facility is not subject to 40CFR63 Subpart RRRRRR National Emission Standards For Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources because it does not meet the definition of a Clay Ceramics Manufacturing Area Source.		
FACILITY	40 CFR Part 63, Subpart SSSSS	Refractory Products Manufacturing NESHAP
Reason: The Diesel Manufacturing Facility is not subject to 40CFR63 Subpart SSSSS National Emission Standard For Hazardous Air Pollutants for Refractory Products Manufacturing because it does not meet the definition of a Refractory Products Manufacturer.		
FACILITY	6 NYCRR Subpart 227-2	Reasonably available control technology for NOx
Reason: The facility's emergency generators and miscellaneous combustion sources included in emission unit U-00005 and U-00006 are exempt from Part 227-2 NOx RACT requirements.		

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.5(g). This information is optional

New York State Department of Environmental Conservation
Permit Review Report



Permit ID: 8-4642-00108/00002
10/19/2010

and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification
Summary of monitoring activities at CORNING DIESEL MANUFACTURING FACILITY:

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

FACILITY	44	record keeping/maintenance procedures
FACILITY	45	record keeping/maintenance procedures
FACILITY	47	record keeping/maintenance procedures
FACILITY	48	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures
FACILITY	50	record keeping/maintenance procedures
FACILITY	51	record keeping/maintenance procedures
FACILITY	52	record keeping/maintenance procedures
FACILITY	53	record keeping/maintenance procedures
FACILITY	54	record keeping/maintenance procedures
FACILITY	55	monitoring of process or control device parameters as surrogate
FACILITY	56	record keeping/maintenance procedures
FACILITY	57	record keeping/maintenance procedures
FACILITY	58	monitoring of process or control device parameters as surrogate
FACILITY	59	record keeping/maintenance procedures
FACILITY	60	intermittent emission testing
FACILITY	61	intermittent emission testing
U-00001/E0003/P01/C0003	75	monitoring of process or control device parameters as surrogate
U-00006/E0601	92	intermittent emission testing
U-00001	73	intermittent emission testing
U-00006/E0601	93	monitoring of process or control device parameters as surrogate
U-00006/E0601	94	record keeping/maintenance procedures
U-00001	74	record keeping/maintenance procedures
U-00004	80	monitoring of process or control device parameters as surrogate
U-00004	81	monitoring of process or control device parameters as surrogate
U-00004	82	record keeping/maintenance procedures
U-00004	83	record keeping/maintenance procedures
FACILITY	67	record keeping/maintenance procedures
FACILITY	68	record keeping/maintenance procedures
FACILITY	66	record keeping/maintenance procedures
FACILITY	65	record keeping/maintenance procedures
FACILITY	69	record keeping/maintenance procedures
FACILITY	70	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	24	record keeping/maintenance procedures
FACILITY	25	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

FACILITY	29	record keeping/maintenance procedures
U-00007	95	record keeping/maintenance procedures
U-00007/-/P11	96	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	37	record keeping/maintenance procedures
FACILITY	38	record keeping/maintenance procedures
U-00006/-/P09	91	record keeping/maintenance procedures
FACILITY	39	record keeping/maintenance procedures
FACILITY	101	record keeping/maintenance procedures
FACILITY	102	record keeping/maintenance procedures
FACILITY	103	record keeping/maintenance procedures
FACILITY	104	record keeping/maintenance procedures
U-00006	105	record keeping/maintenance procedures
FACILITY	31	monitoring of process or control device parameters as surrogate
FACILITY	32	monitoring of process or control device parameters as surrogate
FACILITY	33	monitoring of process or control device parameters as surrogate
FACILITY	34	record keeping/maintenance procedures
U-00001/E0018/P02/C0018	76	record keeping/maintenance procedures
U-00006	90	record keeping/maintenance procedures
U-00007/-/P11	97	monitoring of process or control device parameters as surrogate
FACILITY	35	record keeping/maintenance procedures
FACILITY	36	record keeping/maintenance procedures
FACILITY	40	work practice involving specific operations
FACILITY	41	record keeping/maintenance procedures
FACILITY	42	record keeping/maintenance procedures
U-00002	77	record keeping/maintenance procedures
U-00003	78	intermittent emission testing
U-00004	79	record keeping/maintenance procedures
U-00005	89	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures

Basis for Monitoring

Basis for Monitoring

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

Sets monitoring and excess emission reporting requirements.

6NYCRR Part 201-6.5(e)

Sets compliance reporting requirements.

6NYCRR Part 201-6.5(f)

Sets operational flexibility requirements.

6 NYCRR Part 201-7

Sets specific emission limits to cap VOC and NOx emissions below the 6NYCRR Part 231 requirements and cap PM and CO emissions below the 40CFR52-A.21 requirements. Requires compliance demonstrations and record keeping.

6NYCRR Part 202-2.1

Sets emission statement reporting deadline.

6NYCRR Part 212.4(a)

Requires monitoring of control equipment, ambient air quality impact analysis, and record keeping to indicate mandated control of emissions.



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

**Permit ID: 8-4642-00108/00002
10/19/2010**

6NYCRR Part 212.4(c)

Sets emission limit for particulates. Requires operation and maintenance of control equipment and record keeping to indicate mandated control of emissions. Requires testing as required by the Department to demonstrate compliance with particulate emission standards.

6NYCRR Part 212.6(a)

Requires monitoring of opacity emissions and semiannual reporting.

6NYCRR Part 212.10(c)(3)

Requires process specific NO_x RACT demonstrations.

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

Sets RACT limits for VOCs. Requires stack tests, monitoring of control equipment and record keeping of process parameters or process material quantities to demonstrate compliance.

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

Sets limits on the sulfur content of liquid fuels.

6NYCRR Part 226

Sets equipment specifications, operating, monitoring, and recordkeeping requirements for solvent metal cleaning processes.

6NYCRR Part 227-1.3(a)

Sets opacity limit for stationary combustion sources.

6NYCRR Part 229.3(e)(2)(v)

Sets control requirements for VOC storage tank with capacity of less than 10,000 gallons.

6NYCRR Part 231-2.5

Sets LAER VOC emission limits under NSR applicability thresholds and requires compliance monitoring and record keeping.

6NYCRR Part 231-2.9

Sets VOC emission offset requirements under NSR applicability thresholds.

40CFR63-B.43(c)

Sets HF emission limit under 40CFR63-B.43 applicability threshold and requires compliance monitoring and record keeping.

40CFR64

Specify compliance assurance monitoring requirements.