

**Division of Air Resources  
Permit Review Report**

**Permit ID: 8-4642-00108/00002**  
**Renewal Number: 2**  
**10/13/2023**

**Facility Identification Data**

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

**Owner/Firm**

Name: CORNING INCORPORATED  
Address: HP-ME-02-06  
CORNING, NY 14831, USA  
Owner Classification: Corporation/Partnership

**Permit Contacts**

Division of Environmental Permits:  
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Division of Air Resources:  
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Air Permitting Contact:  
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PAINTED POST, NY 14870  
Phone:

**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**

Renewal 2 of the Air Title V (ATV) Permit for the Corning Diesel Manufacturing Facility in Painted Post, NY. Permit Renewal 2 incorporates the following changes made to the facility during the term of the prior permit in accordance with the Operational Flexibility (Op-Flex) provisions:

- Addition of Emission Point E024D to U-00004; and
- Installation of the Forming Line 1 Dryer under U-00003, Process P04.

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The facility owner or operator was previously granted approval via Op-flexion August 5, 2021 to install and operate a proposed De-oiling Oven under U-00003, Process P04. The facility notified the Department during the draft permit public comment period that this source will no longer be installed. Therefore, the De-oiling Oven and associated controls are not included in the Renewal 2 permit.

Additionally, Renewal 2 addresses a permit modification application submitted in May 2017 that was never acted upon by the Department. This modification requested revisions to the 6 NYCRR 257-8 ambient fluoride standard compliance methodology for the kilns and the VOC control requirement for Tunnel Kiln 4. Accordingly, Renewal 2 includes revisions and updates to the hydrogen fluoride (HF) monitoring conditions for the kilns under 6 NYCRR 257-8. The VOC control limit for Tunnel Kiln has also been revised to 99 percent (%) reduction consistent with Tunnel Kiln 3. These changes do not affect the existing case-by-case MACT limits for HF nor change the VOC emission caps.

This renewal retains the federally enforceable emissions caps under 6 NYCRR 201-7 for CO, VOC, PM, PM10, PM2.5, and NOx established in prior permits. The facility must continue to comply with NOx and VOC LAER requirements under 6 NYCRR 231 for changes made as part of the Ren 0, Mod 3 ATV permit.

Facility operations remain subject to 40 CFR 60, Subpart 000; 40 CFR 60, Subpart IIII; 40 CFR 63, Subpart ZZZZ; and the 40 CFR 63, Subpart B Case-by-Case MACT standard. The applicability and requirements for these regulations are unchanged from the prior permit.

Numerous changes to permit conditions have been made to reflect updated regulations, correct permit citations, clarify monitoring requirements and limits, remove outdated requirements, or other miscellaneous changes/fixes. In particular, relocation of non-capping conditions from 6 NYCRR 201-7 to 6 NYCRR 201-6.5 and separating each limit into its own condition. Except for the modification discussed above, these changes do not affect the existing limits, caps, and monitoring conditions established in prior permits. Refer to the basis of monitoring section for further discussion.

**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

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\* 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 Corning Diesel Manufacturing Facility produces ceramic filters and substrates for diesel engine emission control devices. Manufacturing processes include 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):

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, E0025

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 bulk oil storage.

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

E0001, E0009, E0010, E0011

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Process: P03 is located at Building 1 - This process consists of storage of oil in four storage tanks.

Emission unit U00003 - This emission unit consists of drying operations.

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

E0012, E0013, E0014, E0015, E0016, E0300

Process: P04 is located at Building 1 - This process includes the drying and de-oiling of extruded ceramic, including exempt gas-fired preheaters. The oil mist eliminators are designed to remove potential liquid particulates and minimize opacity from the log and plug dryers.

Emission unit U00004 - This emission unit consists of periodic and tunnel kilns and associated emissions control devices.

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

E0019, E0020, E0021, E0022, E023A, E023B, E023C, E023D, E024A, E024D

Process: P05 is located at Building 1 - This process includes firing ceramic ware in periodic and tunnel kilns.

Emission unit U00005 - This emission unit consists of combustion sources subject to an applicable requirement or limit. This emission unit also includes numerous combustion sources that are exempt from permitting (small heaters and boilers, air handling units).

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

E0032, E0033, E0035, E0037, E0103, E0104, E0105, E031A, E031B, E031C, E031D

Process: P07 is located at Building 1 - Operation of natural gas and diesel-fired combustion sources (including small exempt combustion sources) installed prior to June 3, 2008 and are subject to VOC LAER requirements.

Emission unit U00006 - This emission unit consists of a dry batch mix area, batch transfer area, wet tower mix area, drying and cutting areas or green ceramic, finishing operations as well as two tunnel kilns with emissions control devices. This emission unit also includes (otherwise exempt) combustion sources that are subject to an applicable requirement or limit and combustion sources exempt from permitting (small heaters and boilers, air handling units).

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

E0601, E0602, E0603, E0604, E0606, E0608, E0610, E0611, E0630, E0631, E620A, E620B, E620C, E621A, E621B, E621C

Process: P08 is located at Building 1 - This process includes batch preparation and wet tower mixing, cutting and drying of extruded ceramic, operation of exempt natural gas-fired preheaters, and finishing operations. Oil mist eliminators are designed to remove potential liquid particulate emissions from the dryers.

Process: P09 is located at Building 1 - This process consists of firing of ceramic ware in tunnel kiln No. 3

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and tunnel kiln No. 4. Includes operation of associated control devices.

Process: P10 is located at Building 1 - Operation of miscellaneous combustion units used for emergency power generation, process heat, and HVAC (including small exempt combustion sources).

Emission unit U00007 -

Emission unit U00007 is associated with the following emission points (EP):  
E0701

Process: P11 is located at Building 1 - This process consists of cutting, skinning, contouring, and finishing operations.

**Title V/Major Source Status**

CORNING DIESEL MANUFACTURING FACILITY is subject to Title V requirements. This determination is based on the following information:  
The facility is a major source of air emissions due to potential-to-emit (PTE) emissions of particulate matter (PM), carbon monoxide (CO), and oxides of nitrogen (NOx) greater than 100 tons per year and volatile organic compounds (VOCs) greater than 50 tons per year. The facility is also a Major Stationary Sources under 40 CFR 52.21 due to PTE CO emissions greater than 250 tons per year. Therefore, the facility is required to maintain an Air Title V permit.

**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	NO
NSR (non-attainment)	YES
NESHAP (40 CFR Part 61)	NO
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 52.21, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of

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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 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, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 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.

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**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
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**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 Drying
3-05-008-02	MINERAL PRODUCTS MINERAL PRODUCTS - CERAMIC CLAY/TILE MANUFACTURE Grinding
3-05-008-03	MINERAL PRODUCTS MINERAL PRODUCTS - CERAMIC CLAY/TILE MANUFACTURE Storage
3-05-008-12	MINERAL PRODUCTS MINERAL PRODUCTS - CERAMIC CLAY/TILE MANUFACTURE GLAZING & FIRING KILN
3-05-008-99	MINERAL PRODUCTS MINERAL PRODUCTS - CERAMIC CLAY/TILE MANUFACTURE Other Not Classified
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

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

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
000092-52-4	1, 1 BIPHENYL		0.0000254	1	
000079-34-5	1,1,2,2-TETRACHLOROETHANE		4.78E-6	1	
000106-99-0	1,3-BUTADIENE		0.0000506	2	
000142-28-9	1,3-DICHLOROPROPANE		3.16E-6		
000075-07-0	ACETALDEHYDE		0.00173	3	
000107-02-8	ACROLEIN		0.000773	3	
007440-38-2	ARSENIC		0.00408	3	
007440-39-3	BARIUM		0.00898		
000071-43-2	BENZENE		0.0016	7	
000108-67-8	BENZENE, 1,3,5-TRIMETHYLBENZENE		4.04E-6		
000050-32-8	BENZO(A)PYRENE		2.5E-6		
007440-41-7	BERYLLIUM		0.0000229	3	
000123-72-8	BUTANAL		0.0000121		
000106-97-8	BUTANE		4		
007440-43-9	CADMIUM		0.00224	3	
000124-38-9	CARBON DIOXIDE		306180		
000630-08-0	CARBON MONOXIDE	696000			
000056-23-5	CARBON TETRACHLORIDE		4.39E-6	1	
000067-66-3	CHLOROFORM		3.41E-6	1	
007440-47-3	CHROMIUM			4	
016065-83-1	CHROMIUM (III)		0.00286		
007440-48-4	COBALT		0.000171		
007440-50-8	COPPER		0.00173		
000108-87-2	CYCLOHEXANE, METHYLCYCLOPENTANE	0.000147			
000287-92-3	CYCLOPENTANE		0.0000272		
025321-22-6	DICHLOROBENZENE		0.00245		
000075-09-2	DICHLOROMETHANE		2.39E-6		
000074-84-0	ETHANE		0.0126		
000079-00-5	ETHANE, 1,1,2-TRICHLORO		3.8E-6	1	
000075-34-3	ETHANE, 1,1-DICHLORO-		2.82E-6		
000106-93-4	ETHANE, 1,2-DIBROMO		5.3E-6	1	
000075-00-3	ETHANE,		2.24E-7		



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	CHLORO		
000100-41-4	ETHYLBENZENE		4.75E-6
000050-00-0	FORMALDEHYDE		0.161
			154
000110-54-3	HEXANE		4
007647-01-0	HYDROGEN		10.1
	CHLORIDE		
007664-39-3	HYDROGEN		4.1
	FLUORIDE		
007439-96-5	MANGANESE		0.000775
			3
007439-97-6	MERCURY		0.00053
			3
000074-82-8	METHANE		5
000067-56-1	METHYL		0.000299
	ALCOHOL		
007439-98-7	MOLYBDENUM		0.00224
000091-20-3	NAPHTHALENE		0.00318
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS		0.00428
			4
010102-44-0	NITROGEN		247.7
	DIOXIDE		
010024-97-2	NITROUS OXIDE		0.479
000111-84-2	NONANE		0.0000132
000111-65-9	OCTANE		0.000042
0NY210-00-0	OXIDES OF	495400	
	NITROGEN		
0NY075-00-0	PARTICULATES	498000	
000109-66-0	PENTANE		5
000540-84-1	PENTANE, 2,2,4- TRIMETHYL-		0.0000299
000108-95-2	PHENOL		2.87E-6
0NY075-02-5	PM 2.5	31039	
0NY075-00-5	PM-10	31099	
130498-29-2	POLYCYCLIC AROMATIC HYDROCARBON S		3.22E-6
0NY505-00-0	POLYCYCLIC ORGANIC MATTER (POM)		0.00315
			4
000074-98-6	PROPANE		3
000078-87-5	PROPANE, 1,2- DICHLORO		3.22E-6
000115-07-1	PROPYLENE		0.0417
007782-49-2	SELENIUM		0.000049
000100-42-5	STYRENE		2.82E-6
007446-09-5	SULFUR DIOXIDE		1.25
025322-20-7	TETRACHLORO ETHANE, TOTAL		2.97E-7
000108-88-3	TOLUENE		0.0113
007440-62-2	VANADIUM		0.00469
0NY998-00-0	VOC	164145.21	
001330-20-7	XYLENE, M, O & P MIXT.		0.00295
007440-66-6	ZINC		0.0592

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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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 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

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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 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

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

**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.

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(b) In any enforcement proceeding, the facility owner 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\_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**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Regulation</b>	<b>Condition</b>	<b>Short Description</b>
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FACILITY	ECL 19-0301	131	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A	67	General provisions
FACILITY	40CFR 60-IIII.4205 (b)	68	Emission Standards - 2007 or later
FACILITY	40CFR 60-IIII.4206	69	Emergency Non Fire Pump Stationary CI-IC Engines Displacing < 30 liters/cylinder
FACILITY	40CFR 60-IIII.4209 (a)	70	Stationary Compression Ignition IC Engines - Duration of Emission Standards Monitoring requirement -
FACILITY	40CFR 60-IIII.4211 (a)	71	Emergency stationary CI-IC engine
FACILITY	40CFR 60-IIII.4211 (c)	72	Stationary Compression Ignition Engines - Compliance Requirements
FACILITY	40CFR 60-IIII.4211 (c)	72	Stationary Compression Ignition Engines - Compliance

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FACILITY	40CFR 60-III.4211(f)	73, 74	Demonstration Stationary Compression Ignition IC Engines - Emergency Engine Operation
FACILITY	40CFR 60-III.4214(b)	75	Notification, Recordkeeping Requirements - Emergency stationary CI-IC engines
FACILITY	40CFR 60-III.4218	76	Stationary Compression Ignition IC Engines - applicability of NSPS general provisions
FACILITY	40CFR 60- OOO.670(a)(1)	77	Rock, gravel, sand and clay processing and conveying
FACILITY	40CFR 60-OOO.672(a)	78, 79	Rock, gravel, sand, and clay processing and conveying - standard for particulate matter
U- 00001/E0003/P01/C0003	40CFR 60-OOO.672(a)	111	Rock, gravel, sand, and clay processing and conveying - standard for particulate matter
FACILITY	40CFR 60- OOO.672(e)(1)	80	Rock, gravel, sand, and clay processing and conveying - standard for particulate matter
FACILITY	40CFR 60-OOO.674(c)	81	Rock, gravel, sand and clay processing and conveying - monitoring of operations
FACILITY	40CFR 60-OOO.675	82	Rock, gravel, sand, and clay processing and conveying - test methods and procedures
FACILITY	40CFR 60- OOO.676(b)(1)	83	Subpart OOO - Nonmetallic Mineral Processing Plants - Reporting requirements for wet suppression/baghouses
U-00001	40CFR 60-OOO.676(f)	110	Rock, gravel, sand, and clay processing and conveying - reporting and recordkeeping
FACILITY	40CFR 60-OOO.676(h)	84	Rock, gravel, sand, and clay processing and conveying - reporting and recordkeeping - Notification of initial startup
U-00004	40CFR 63-B.43(c)	114, 115, 116, 117, 118	Case By Case MACT Review Options
U-00004	40CFR 63-B.43(d)	119	General Principles of

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U-00004	40CFR 63- B.43(g) (2) (iv)	120	Case-by-Case MACT Determinations Case-By-Case MACT General Provisions Applicability
U-00004	40CFR 63-B.43(k)	121	Compliance Date for case-by-case MACT determinations
U-00004	40CFR 63-B.43(1)	122	Compliance with MACT determinations
U-00004	40CFR 63-B.44	123	Requirements for Major Sources Subject to Subsequently Promulgated MACT Standard
FACILITY	40CFR 63-ZZZZ.6590(c)	85	Reciprocating Internal Combustion Engine (RICE) NESHAP - Stationary RICE subject to Regulations under 40 CFR Part 60
FACILITY	40CFR 63-ZZZZ.6603(a)	86, 87	Reciprocating Internal Combustion Engine (RICE) NESHAP - requirements for existing engines at area sources of HAP emissions
FACILITY	40CFR 63-ZZZZ.6605(a)	88	Reciprocating Internal Combustion Engine (RICE) NESHAP - compliance
FACILITY	40CFR 63-ZZZZ.6605(b)	89	Reciprocating Internal Combustion Engine (RICE) NESHAP - operate and maintain air pollution control and monitoring equipment
FACILITY	40CFR 63-ZZZZ.6625(e)	90	Reciprocating Internal Combustion Engine (RICE) NESHAP - maintenance of engine and control device
FACILITY	40CFR 63-ZZZZ.6625(f)	91	Reciprocating Internal Combustion Engine (RICE) NESHAP - non-resettable hour meter for certain existing emergency engines
FACILITY	40CFR 63-ZZZZ.6625(h)	92	Reciprocating Internal Combustion Engine (RICE) NESHAP - idling time at startup
FACILITY	40CFR 63-ZZZZ.6625(i)	93	Reciprocating Internal Combustion Engine (RICE) NESHAP - oil analysis program for compression ignition engines

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FACILITY	40CFR 63-ZZZZ.6625(j)	94	Reciprocating Internal Combustion Engine (RICE) NESHAP - oil analysis program for spark ignition engines
FACILITY	40CFR 63-ZZZZ.6640(a)	95	Reciprocating Internal Combustion Engine (RICE) NESHAP - Compliance Requirements
FACILITY	40CFR 63-ZZZZ.6640(b)	96	Reciprocating Internal Combustion Engine (RICE) NESHAP - deviations and catalyst changing
FACILITY	40CFR 63-ZZZZ.6640(e)	97	Reciprocating Internal Combustion Engine (RICE) NESHAP - non-compliance with NESHAP General Provisions
FACILITY	40CFR 63-ZZZZ.6640(f)	98	Reciprocating Internal Combustion Engine (RICE) NESHAP - emergency engines
FACILITY	40CFR 63-ZZZZ.6655(a)	99	Reciprocating Internal Combustion Engine (RICE) NESHAP - records that must be kept
FACILITY	40CFR 63-ZZZZ.6655(d)	100	Reciprocating Internal Combustion Engine (RICE) NESHAP - Record keeping requirements
FACILITY	40CFR 63-ZZZZ.6655(e)	101	Reciprocating Internal Combustion Engine (RICE) NESHAP - maintenance plan records that must be kept
FACILITY	40CFR 63-ZZZZ.6655(f)	102	Reciprocating Internal Combustion Engine (RICE) NESHAP - Recordkeeping requirements
FACILITY	40CFR 63-ZZZZ.6660	103	Reciprocating Internal Combustion Engine (RICE) NESHAP - record retention
FACILITY	40CFR 63-ZZZZ.6665	104	Reciprocating Internal Combustion Engine (RICE) NESHAP - General provisions
FACILITY	40CFR 64	105, 106	COMPLIANCE ASSURANCE MONITORING
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 air quality.



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FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.15	133	Requirement to Commence Construction
FACILITY	6NYCRR 201-1.4	132	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13, 14	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	15	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	21, 107, 108	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	16	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	17	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	22	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f)	23	Operational Flexibility
FACILITY	6NYCRR 201-6.4 (f) (2)	24	Operational Flexibility - Protocol
FACILITY	6NYCRR 201-6.4 (g)	25	Permit Shield
FACILITY	6NYCRR 201-6.5	26, 27, 28, 29, 30, 31, 32, 33, 34	Special Provisions
FACILITY	6NYCRR 201-6.5 (a)	134	State Enforceable Requirements
FACILITY	6NYCRR 201-7.1	35, 109	Emission Capping in Facility Permits
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.4 (a) (3)	39	Emission statement methods and procedures
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	135	General Prohibitions - air pollution

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FACILITY	6NYCRR 211.2	40	prohibited General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212-1.6 (a)	41, 42	Limiting of Opacity HTACs applicable to Table 212-2.3 Table 4
FACILITY	6NYCRR 212-2.1 (a)	136	
FACILITY	6NYCRR 212-2.4 (b)	43, 44, 45	Control of Particulate from New and Modified Process Emission Sources
U-00007/-/P11/C0701	6NYCRR 212-2.4 (b)	130	Control of Particulate from New and Modified Process Emission Sources
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2 (d)	46	Sulfur-in-Fuel Limitation - Distillate Oil
FACILITY	6NYCRR 227-1.4 (a)	47	Opacity Standard Small boilers, small combustion turbines, and small stationary internal combustion engines.
FACILITY	6NYCRR 227-2.4 (d)	48	
FACILITY	6NYCRR 229.3 (e) (2) (v)	49	Volatile organic liquid storage tanks
FACILITY	6NYCRR 231-11.2 (c)	66	Reasonable Possibility requirements for insignificant mods - greater than 50% with excluded emissions
FACILITY	6NYCRR 231-2.5	50, 51	Lowest achievable emission rate, LAER
U-00004	6NYCRR 231-2.5	112, 113	Lowest achievable emission rate, LAER
U-00005/-/P07	6NYCRR 231-2.5	124, 125	Lowest achievable emission rate, LAER
FACILITY	6NYCRR 231-2.9	52	Emission offsets
FACILITY	6NYCRR 231-6.5	53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64	Lowest achievable emission rate, LAER
FACILITY	6NYCRR 231-6.6	65	Emission offset requirements
FACILITY	6NYCRR 257-4.2	137, 138, 139, 140	Standards Fluorides

**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

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device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

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

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

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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 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) (4)

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 (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 202-2.5

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

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department representatives.

6 NYCRR 211.2

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

6 NYCRR 215.2

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

40 CFR Part 68

This Part lists the regulated substances and 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 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<sub>x</sub>, NMHC + NO<sub>x</sub> 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 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 60.4209 (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

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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 citation states the requirements for 2007 model year and later compression ignition engines and for fire pump engines with model years listed in Table 3 to Subpart IIII.

40 CFR 60.4211 (f)

These conditions state the hour limits for emergency engines operating in nonemergency engine situations

40 CFR 60.4214 (b)

Initial notification, reporting, and recordkeeping requirements for owners or operators of a stationary CI internal combustion engine.

40 CFR 60.4218

This citation states the applicability of the general provisions for sources subject to Subpart IIII.

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 citation states the opacity standard for building openings.

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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 citation states the test methods and procedures for Subpart OOO.

40 CFR 60.676 (b) (1)

This citation states recordkeeping requirements for Subpart OOO.

40 CFR 60.676 (f)

This citation states the reporting requirements for performance tests and opacity observations.

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 63.43 (c)

This citation states the review options for MACT determinations for constructed and reconstructed major sources.

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

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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 condition states the applicable requirements from 40 CFR 63 Subpart A for the Notice of MACT Approval.

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

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.



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40 CFR 63.6603 (a)

These conditions list the emission limits, operating limits, and work practices that existing engines located at an area source of HAP emissions must meet.

The engines must meet work practices, emission limits, and operating limits on carbon monoxide or formaldehyde for the specific type of engine listed in table 2d of subpart ZZZZ.

40 CFR 63.6605 (a)

This condition states that the facility must meet all emission limits and operating limits that this rule imposes at all times.

40 CFR 63.6605 (b)

This condition requires the facility to operate their engine(s) so that emissions of hazardous air pollutants are minimized during periods when the engine(s) are starting up, shutting down, and malfunctioning.

40 CFR 63.6625 (e)

This regulation requires the owners or operator of an existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions, an existing stationary emergency RICE, or an existing stationary RICE located at an area source of HAP emissions must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop their own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

40 CFR 63.6625 (f)

This condition reduces the emission of hazardous air pollutants by requiring existing emergency engines greater than or equal to 500 brake horsepower located at a major source of HAP emissions and existing emergency engines located at an area source of HAP emissions to install a non-resettable hour meter.

40 CFR 63.6625 (h)

This regulation requires the owner or operator of a reciprocating internal combustion engine to minimize the idling time of the engine at startup. Startup time is limited to 30 minutes or less.

40 CFR 63.6625 (i)

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This condition allows compression ignition engines subject to work practices to extend the length of time between oil changes.

40 CFR 63.6625 (j)

This condition allows spark ignition engines subject to work practices to extend the length of time between oil changes.

40 CFR 63.6640 (a)

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.

When the facility conducted the performance test to measure the emissions of pollutants during normal engine operation, the facility had to either install a device to continuously measure these emissions or measure parameters which are representative of what the emissions would be during operation of the engine. Then this information must be submitted to the NYSDEC so that DEC can tell from the compliance reports whether the emission limits are being met.

40 CFR 63.6640 (b)

This condition specifies what the facility needs to do in the event that the results of the monitoring show that the facility was not meeting the emission limits in this rule. This is called a deviation from the emission limits and/or operating limits of this rule and must be reported to NYSDEC.

This condition also requires the facility to conduct another performance test and re-establish the operating parameters if the catalyst in the control device is changed.

40 CFR 63.6640 (e)

This condition requires the facility to report when it was not meeting one of the requirements in Table 8 of this rule. Table 8 refers to the provisions in Subpart A (General Provisions) that may or may not apply to facilities subject to this rule.

40 CFR 63.6640 (f)

This condition states the operation requirements for emergency engines.

40 CFR 63.6655 (a)

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.

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40 CFR 63.6655 (d)

Records showing continuous compliance with each applicable emission or operating limit must be kept in accordance with Table 6 of 40 CFR63 Subpart ZZZZ ("Continuous Compliance With Emission Limitations, Operating Limitations, Work Practices, and Management Practices") .

40 CFR 63.6655 (e)

This regulation sets forth the record keeping requirements for RICE subject to facility specific maintenance plans.

40 CFR 63.6655 (f)

This regulation requires the owner/operator of a reciprocating internal combustion engine to record the number of hours the engine has been used, in both emergency and non-emergency use.

40 CFR 63.6660

This condition specifies how long the facility must keep records of the results of the monitoring that was done to prove that the engine(s) was meeting the emission limits in this rule.

40 CFR 63.6665

This regulation specifies which provisions of the General provisions (Subpart A of 40 CFR 63) apply to the owner 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

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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 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 201-1.15

The existence of a valid permit shall not be construed as authorizing construction if construction is not commenced within 18 months after the date of permit issuance, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time as determined by the department. Up to an 18-month extension may be granted by the department upon a showing of good cause in a written request by the facility owner or operator. The department may suspend, modify or revoke the permit or registration pursuant to Part 621 of this Title if construction or modification has not commenced within 18 months of issuance of such permit or registration, or construction has been discontinued for a period of more than 18 months at any point after issuance of such permit or registration.

6 NYCRR 201-6.4 (f)

This section describes the potential for certain operational changes to be made by the facility owner or operator without first obtaining a permit modification. Changes made pursuant to this provision must meet all of the criteria described in this section to qualify for consideration as operational flexibility. The Department reserves the right to require the facility owner or operator to obtain a permit modification prior to making any changes at the facility pursuant to this section.

6 NYCRR 201-6.4 (f) (2)

This section describes the requirements for operational flexibility protocols included in Title V permits. The facility owner or operator may make certain changes to the facility that have been reviewed and approved pursuant to the protocol without first obtaining a permit modification for those changes.

6 NYCRR 201-6.5

6 NYCRR 201-6.5 (a)

This subdivision states that the Department shall include state enforceable conditions in Title V permits. State enforceable conditions related to regulations developed pursuant to the Climate Leadership and Community Protection Act (CLCPA) and Article 75 of New York State Environmental Conservation Law may be included in future versions of this permit, as applicable.

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6 NYCRR 201-7.1

This section of Part 201-7 specifies the criteria that need to be met in order to restrict emissions to avoid Title V or other applicable requirements using federally enforceable permit conditions permit.

6 NYCRR 202-2.4 (a) (3)

Once a facility is required to submit annual emission statements electronically, emission statements must be submitted to the department per the specified schedule, in this regulation beginning the reporting year that a Title V permit containing a condition mandating electronic submittal is issued.

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 212-1.6 (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 (a)

This provision is for an air contaminant listed in Section 212-2.2 Table 2 - High Toxicity Air Contaminant List (HTAC). The facility owner or operator must 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.

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 225-1.2 (d)

This subdivision sets the sulfur-in-fuel limitation for distillate oil fired emission sources throughout the State.

6 NYCRR 227-1.4 (a)

This subdivisions sets the opacity standard for subject stationary combustion installations.

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6 NYCRR 227-2.4 (d)

This section includes NO<sub>x</sub> RACT requirements for small boilers, small combustion turbines, and small stationary internal combustion engines.

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

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

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 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.

The project emission potential for a proposed source project must be offset with emission reduction 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.

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6 NYCRR 231-6.5

This section outlines what LAER is and how it is determined.

6 NYCRR 231-6.6

This section states what the emission offset requirements are for a facility subject to this Subpart.

6 NYCRR 257-4.2

The term fluorides refers to a heterogeneous group of compounds formed from the highly reactive, nonmetallic gaseous element known as fluorine. For the purpose of this Subpart, the term fluoride will include material that tests as fluoride by methods acceptable to the commissioner.

**Non Applicability Analysis**

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

<b>Location Facility/EU/EP/Process/ES</b>	<b>Regulation</b>	<b>Short Description</b>
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.		

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FACILITY 40 CFR Part 63, Subpart Refractory Products  
 SSSSS 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.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.4(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state 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:**

<b>Location</b>	<b>Cond No.</b>	<b>Type of Monitoring</b>
<b>Facility/EU/EP/Process/ES</b>		
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FACILITY	68	record keeping/maintenance procedures
FACILITY	70	record keeping/maintenance procedures
FACILITY	71	record keeping/maintenance procedures
FACILITY	72	record keeping/maintenance procedures
FACILITY	73	work practice involving specific operations
FACILITY	74	work practice involving specific operations
FACILITY	75	record keeping/maintenance procedures
FACILITY	77	record keeping/maintenance procedures
FACILITY	78	monitoring of process or control device parameters as surrogate
FACILITY	79	monitoring of process or control device parameters as surrogate
U-00001/E0003/P01/C0003	111	monitoring of process or control device parameters as surrogate
FACILITY	80	intermittent emission testing
FACILITY	81	monitoring of process or control device parameters as surrogate
FACILITY	83	record keeping/maintenance procedures
U-00001	110	record keeping/maintenance procedures
U-00004	114	monitoring of process or control device parameters as surrogate
U-00004	115	monitoring of process or control device parameters as surrogate
U-00004	116	monitoring of process or control device parameters as surrogate
U-00004	117	monitoring of process or control device parameters as surrogate
U-00004	118	record keeping/maintenance procedures
FACILITY	86	record keeping/maintenance procedures
FACILITY	87	record keeping/maintenance procedures
FACILITY	90	record keeping/maintenance procedures



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FACILITY	91	record keeping/maintenance procedures
FACILITY	92	monitoring of process or control device parameters as surrogate
FACILITY	93	record keeping/maintenance procedures
FACILITY	94	record keeping/maintenance procedures
FACILITY	95	record keeping/maintenance procedures
FACILITY	98	record keeping/maintenance procedures
FACILITY	99	record keeping/maintenance procedures
FACILITY	100	record keeping/maintenance procedures
FACILITY	101	record keeping/maintenance procedures
FACILITY	102	record keeping/maintenance procedures
FACILITY	103	record keeping/maintenance procedures
FACILITY	105	record keeping/maintenance procedures
FACILITY	106	record keeping/maintenance procedures
FACILITY	14	work practice involving specific operations
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	24	record keeping/maintenance procedures
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	27	monitoring of process or control device parameters as surrogate
FACILITY	28	monitoring of process or control device parameters as surrogate
FACILITY	29	monitoring of process or control device parameters as surrogate
FACILITY	30	monitoring of process or control device parameters as surrogate
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	monitoring of process or control device parameters as surrogate
FACILITY	36	monitoring of process or control device parameters as surrogate
FACILITY	37	monitoring of process or control device parameters as surrogate
FACILITY	38	monitoring of process or control device parameters as surrogate
U-00006	126	monitoring of process or control device parameters as surrogate
U-00007	127	monitoring of process or control device parameters as surrogate
U-00007	128	monitoring of process or control device parameters as surrogate
U-00007	129	monitoring of process or control device parameters as surrogate
FACILITY	7	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	42	monitoring of process or control device parameters as surrogate
FACILITY	136	record keeping/maintenance procedures
FACILITY	43	monitoring of process or control device parameters as surrogate
FACILITY	44	monitoring of process or control device parameters as surrogate
FACILITY	45	monitoring of process or control device parameters as surrogate
U-00007/-/P11/C0701	130	monitoring of process or control device parameters as surrogate
FACILITY	46	work practice involving specific operations
FACILITY	47	monitoring of process or control device parameters

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FACILITY	48	as surrogate
FACILITY	49	record keeping/maintenance procedures
FACILITY	66	record keeping/maintenance procedures
FACILITY	50	intermittent emission testing
FACILITY	51	intermittent emission testing
U-00004	112	monitoring of process or control device parameters as surrogate
U-00004	113	monitoring of process or control device parameters as surrogate
U-00005/-/P07	124	monitoring of process or control device parameters as surrogate
U-00005/-/P07	125	monitoring of process or control device parameters as surrogate
FACILITY	52	record keeping/maintenance procedures
FACILITY	53	record keeping/maintenance procedures
FACILITY	54	work practice involving specific operations
FACILITY	55	monitoring of process or control device parameters as surrogate
FACILITY	56	intermittent emission testing
FACILITY	57	monitoring of process or control device parameters as surrogate
FACILITY	58	monitoring of process or control device parameters as surrogate
FACILITY	59	intermittent emission testing
FACILITY	60	work practice involving specific operations
FACILITY	61	record keeping/maintenance procedures
FACILITY	62	work practice involving specific operations
FACILITY	63	intermittent emission testing
FACILITY	64	monitoring of process or control device parameters as surrogate
FACILITY	65	record keeping/maintenance procedures
FACILITY	137	monitoring of process or control device parameters as surrogate
FACILITY	138	monitoring of process or control device parameters as surrogate
FACILITY	139	monitoring of process or control device parameters as surrogate
FACILITY	140	monitoring of process or control device parameters as surrogate

**Basis for Monitoring**

**6 NYCRR Part 201-6 Title V Permits**

- 6 NYCRR 201-6.4(f)(2) – This renewal retains the previously approved operational flexibility protocol condition from prior permits as part of this renewal. Minor changes have been made to condition language as necessary. Please note that this condition has been relocated from 6 NYCRR 201-6.4(f) in accordance with the revisions to Part 201 promulgated in February 2021.
- 201-6.5 - As part of ATV Ren 0 Mod 3 a monitoring condition was included limiting VOC emissions from Emission Unit U-00006 Tunnel Kiln 4 (DT4) below 1.3 lbs VOC /ton ceramic ware and an overall VOC removal efficiency of the combination of the kiln burners and the thermal oxidizer of 99.9 percent or greater. This limit and control efficiency was based on the PTE calculations for ATV Ren 0 Mod 3 application and the anticipated required level of control. To demonstrate compliance with this limit the facility owner or operator was required to conduct stack testing.

The facility owner or operator conducted stack testing on DT4 in November 2015 which demonstrated compliance with the 1.3 lbs/tons ware emission limit. The measured hourly emission rate was 1.45 lbs/hour but the measured control efficiency was 99.5%. Based on the measured hourly emission rate

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the VOC PTE from DT4 does not cause the facility project emission potential (PEP) from Ren 0 Mod 3 to exceed the 40 tpy significance threshold. Therefore, although the 99.9% control efficiency could not be achieved, the facility is still in compliance with the DT4 1.3 lbs/ton ware emission limit and Ren 0 Mod 3 40 tpy limit.

Since the 99.9% control efficiency requirement was assigned based on PTE emissions calculations to limit VOC PEP below 40 tpy and not an explicit regulatory requirement (e.g. LAER, RACT, etc.), the facility owner or operator has requested that the VOC control efficiency requirement for DT4 be revised to 99%. Justification for this change was provided in May 2017 as part of a permit modification application that was never issued by the Department and the facility owner or operator has requested that this change be addressed as part of this renewal instead. The facility has demonstrated that at the proposed 99% control efficiency and the measured DT4 VOC emission rate, the Ren 0 Mod 3 PEP will continue to be less than the 40 tpy threshold and other permit/regulatory requirements. Therefore, the Department has determined that this proposed change is acceptable and revised the VOC control efficiency requirement to 99% for DT4 as part of this renewal.

Since the control requirements are now equivalent to DT3 (added in the same permit as those for DT4), the control requirements for both tunnel kilns have been consolidated into two monitoring conditions (one per limit) under 6 NYCRR 201-6.5. The control requirements for DT3 and DT4 are more stringent than the 81% control requirement under 6 NYCRR 212-3 VOC RACT.

- 201-6.5 – A monitoring condition has been added for Tunnel Kilns 3 and 4 (ES S0620 and S0621) requiring use of HF scrubbers when the fluorine content of the ware exceeds 0.00002 lbs F/lbs ware. This condition was included as part of the removal from the prescriptive 95% control limit for these kilns to demonstrate continuous compliance with the 257-4 ambient fluoride standards. See discussion under that Subpart below
- 201-6.5 – The 0.001 gr/dscf PM emissions limit for U-00006, EPs E0601, E0602, E0606, E0608, E0610, and E06011 has been retained in this renewal. This limit was established as part of Ren 0 Mod 3 to limit project emissions below the applicability thresholds of 6 NYCRR 231-8. The limit is consistent with the emissions in the PTE calculations for these sources during initial permitting. This limit supersedes the applicable 40 CFR 60.672(a) PM emission limit of 0.014 gr/dscf for EPs E0601 and E0602. To demonstrate compliance with this limit, multiple monitoring conditions are included requiring periodic stack testing, control device monitoring and maintenance, and recordkeeping. Please note that this limit and associated PM control equipment monitoring conditions were previously listed as capping conditions under 201-7.1 in the prior permit and have been relocated to 201-6.5 as part of this renewal.

**6 NYCRR Part 201-7 Title V Permits**

- 6 NYCRR 201-7.1 – This renewal retains the federally enforceable emissions caps for CO, VOC, PM, PM10, PM2.5, and NOx established in prior permits to remain below the applicability thresholds for New Source Review. The emissions capping conditions for U-0006 and U-00007 reflect limiting emissions below the Significant Project /Significant Net Emissions Increase Thresholds for modifications to an existing major facility.

Capping conditions are included for the following limits and units (capped condition included in parentheses).

- U-00006 – 39 tpy VOC (6 NYCRR 231-2.2)
- U-00001 – U-00007 – 249 tpy PM (40 CFR 52.21)
- U-00001 – U-00005 – 249 tpy CO (40 CFR 52.21)
- U-00006 – 99 tpy CO (6 NYCRR 231-8)
- U-00007 – 24.9 tpy PM (6 NYCRR 231-8)
- U-00007 – 14.9 tpy PM10 (6 NYCRR 231-8)

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- U-00007 – 9.9 tpy PM2.5 (6 NYCRR 231-8)

Please note that the PM/PM10/PM2.5 caps for U-00007 and the CO caps were previously included as two recordkeeping conditions. As part of this renewal, each limit has been included in a separate capping condition (five conditions). The U-00007 emissions caps have also been lowered to better ensure compliance with is met (e.g., 25/15/10 tpy for PM/PM10/PM2.5 to 24.9/14.9/9.9 tpy.) Additionally, a capping condition was included in prior permits to limit VOC emissions for U-00001 – U-00005 to 122 tpy to reflect the PTE used to establish off-sets in accordance with LAER requirements under 6 NYCRR 231-2.2. Since this limit was not established to cap-out of a regulatory requirement it has been moved to 6 NYCRR 201-6.5.

To demonstrate compliance with these emissions caps, monitoring conditions are included for each of the above limits requiring monthly emissions monitoring, recordkeeping, and annual reporting. Compliance with emissions limits is determined on a 12-month rolling basis.

The prior permit contained a condition requiring initial HF testing within 180 days of issuance of Ren 0 Mod 3 permit. This condition has been removed since the testing period has passed and this requirement completed.

**6 NYCRR Part 225 Sulfur in Fuel**

- 6 NYCRR 225 – The facility only burns natural gas and therefore is not subject to the requirements of 6 NYCRR Part 225.

**6 NYCRR Part 212 Process Sources**

- 6 NYCRR 212-1.3 – The following environmental ratings were assigned to the permitted air contaminants subject to Part 212. The applicable compliance requirements are based on the assigned ratings:
  - High Toxicity Air Contaminants – A
  - Hydrogen Chloride – C
  - Carbon Monoxide – D
  - Hydrogen Fluoride – B
  - All other contaminants subject to Part 212 – B
- 6 NYCRR 212-1.5(f) – For process sources subject to the VOC/NOx RACT requirements under 6 NYCRR 212-3, applicable air cleaning requirements for individual HTACs (as a component of VOCs) have been included in separate monitoring conditions elsewhere in this permit.
- 6 NYCRR 212-1.5(g) – This requirement requires maintenance of control devices in accordance with good engineering practices. This is equivalent to the requirements of the mandatory condition under 6 NYCRR 200.7. Therefore, for permit streamlining, the monitoring condition in the prior permit has not been retained as part of this renewal.
- 6 NYCRR 212-1.6(a) – The regulation of opacity (visible emissions) under 6 NYCRR Part 212 does not specify an explicit monitoring method or frequency. Therefore, the permit must contain periodic monitoring to demonstrate compliance with the 20 percent (%) opacity limit. Generally, 6 NYCRR Part 212 applicable sources that have the potential to emit particulate emissions are subject to this opacity limit. Opacity in excess of 20% may indicate a particulate control problem but there is not always a correlation between mass emissions and opacity. Compliance with the particulate standards themselves are regulated separately under 6 NYCRR Part 212 and other Federal standards.

Process sources subject to this limit are not anticipated to have excessive opacity based on the type of operation and use of particulate control devices. To demonstrate compliance a monitoring condition has been included requiring a visible emissions observation on a semi-annual frequency. The permit condition also requires that any instance where there is cause to believe that visible emissions have the

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potential to exceed the standard must be investigated and followed-up with EPA Method 9 assessment if not corrected within one operating day. If there is still a doubt as to whether the standard is being met, the Department may conduct, or require, a Method 9 assessment for compliance at any time. A second monitoring condition for the use of oil mist eliminators on the log dryers on an as-needed basis to ensure compliance with this limit.

- 6 NYCRR 212-2.3(a) – This citation specifies the air cleaning requirements for criteria air contaminants under 6 NYCRR Part 212. Based on the environmental rating for carbon monoxide assigned under 6 NYCRR 212-1.3 above and the emission rate potential, the facility must demonstrate compliance with the carbon monoxide National Ambient Air Quality Standards (NAAQS). The facility owner or operator submitted air dispersion modeling to the Department in May 2015 (updated in March 2021 as part of an Operational Flexibility Request), demonstrating compliance with the Carbon Monoxide 1-hr and 8-hr NAAQS. As required by a monitoring condition established as part of Ren 1 Mod 3, stack testing was required to determine the CO emission rate from the kilns to verify the emission rate used in the modeling.

The facility owner or operator may be required to re-demonstrate compliance with the NAAQS upon request by the Department or prior to commencing any process change or modification that may increase the carbon monoxide emission rate. This is required by the operational flexibility protocol and permit modification requirements specified elsewhere in this permit. Therefore, for permit streamlining, a monitoring condition has not been included for this citation. Note that a condition was included in prior permits addressing the above discussion but has been removed as part of this renewal.

- 6 NYCRR 212-2.3(b) – This citation specifies the air cleaning requirements for non-criteria air contaminants under 6 NYCRR Part 212.

Based on the environmental ratings assigned above under 6 NYCRR 212-1.3 above and the emission rate potential, the facility must demonstrate compliance with the hydrogen fluoride and hydrogen chloride 6 NYCRR 257-4 ambient standards and DEC Program Policy DAR-1 ambient guideline concentrations, respectively. The facility owner or operator submitted air dispersion modeling to the Department in May and December 2015 demonstrating compliance with the hydrogen fluoride Subpart 257-4 ambient fluoride standard and hydrogen chloride DAR-1 guideline concentration. Please note that the air dispersion modeling for hydrogen fluoride was updated in March 2021 as part of an operational flexibility request.

The facility owner or operator may be required to re-demonstrate compliance upon request by the Department or prior to commencing any process change or modification that may increase the emission rate. This is required by the operational flexibility protocol and permit modification requirements specified elsewhere in this permit. Therefore, for permit streamlining, a monitoring condition has not been included for this citation. Note that a condition was included in prior permits addressing the above discussion but has been removed as part of this renewal.

- 6 NYCRR 212-2.3(b) – This citation limits particulate emissions to 0.05 gr/dscf for process sources subject to 6 NYCRR Part 212. No compliance method is specified in the regulation. Based on the potential emissions from the subject kilns under U-00004 and U-00006 and use of dust collectors for subject sources under U-00001 and U-00007, these sources are not anticipated to contravene the standard. Therefore, a monitoring condition has been included for subject points/sources requiring semi-annual review of process and associated control equipment operation to ensure the standard is met. The Department may request a Method 5 stack test to confirm upon request.

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Two additional monitoring conditions are included for the dust collectors under U-00001 and U-00007 requiring weekly monitoring of dust collector pressure drop to ensure proper operation and control efficiency.

The following particulate emissions points subject to this limit are also subject to more stringent particulate emissions limits under 40 CFR 60, Subpart OOO or a 6 NYCRR 201-7.1 emissions caps:

- Subpart OOO (60.672(a)) – 0.22 gr/dscf E0003, E0005, E0006
- Emissions Cap (201-7.1) – 0.001 gr/dscf E0601, E0602, E0606, E0608, E0610, E0611

For permit streamlining, these sources have been excluded from the monitoring conditions under this citation. Compliance with these more stringent limits is addressed in associated monitoring conditions.

- 6 NYCRR 212-3.1(f) – This citation specifies RACT requirements under 6 NYCRR Part 212. Although the periodic and tunnel kilns are subject to 6 NYCRR 212-3 VOC RACT, they are subject to more stringent control requirements specified in monitoring conditions elsewhere in this permit. Therefore, no conditions have been included under this citation. The condition previously included in the permit for RACT applicability has been removed as part of this renewal since no requirement or compliance method was required.

**6 NYCRR Part 227 Stationary Combustion Installations**

- 6 NYCRR 227-1.3(a) – The facility does not operate any stationary combustion installations firing oil (or oil in combination with a gaseous fuel) with a heat input greater than 50 MMBtu/hour. Therefore, this requirement does not apply.
- 6 NYCRR 227-1.4(a) – Specifies the applicable opacity limit for stationary combustion installations. Minimal or no visible emissions are expected from natural gas fired sources and therefore a monitoring condition has been included requiring an annual Method 9 test to demonstrate compliance. The monitoring condition also requires that the facility investigate all instances where there is cause to believe the opacity limit has been exceeded. Please note that the tunnel and periodic kilns are subject to requirements as process sources and not subject to this Subpart.
- 6 NYCRR 227-2.4(d) – As specified in this citation, small combustion installations are required to perform annual tune-ups. Please note that this requirement may apply to combustion installations that are otherwise exempt and not included in the permit as an emissions source. The descriptions for Process 07 and Process 10 clearly identify that small combustion sources are included.
- 6 NYCRR 227-2.4(f)(6) – As specified in this citation, emergency power generating engines are exempt from NOx RACT requirements under 6 NYCRR 227-2. Therefore, no conditions have been included under this citation.
- 6 NYCRR 227-2.4(g) – As discussed under 6 NYCRR 231-6.5, the other miscellaneous (exempt) combustion sources under Process 07 and Process 10 are subject to NOx LAER and comply through uncontrolled operation. By complying with LAER, sources potentially subject to case-by-case NOx RACT under 6 NYCRR 227-2.4(g) are presumed to satisfy RACT requirements. Therefore, no conditions have been included under this citation.

**6 NYCRR Part 231 New Source Review**

- 6 NYCRR 231-2.5 – VOC emissions from Emission Units U-00001 to U-00005 are subject to LAER per 6 NYCRR 231-2.5. To demonstrate compliance with VOC LAER requirements the following limits are included in monitoring conditions:
  - VOC emissions from the log dryers under U-00003 are limited to 0.0004 lbs VOC/lbs ware for each dryer.
  - Total VOC emissions from the log dryers is limited to 5.6 lbs/hour.

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- VOC emissions from each U-00004 periodic and tunnel kilns is limited to 1.3 lbs VOC/tons ware and 99% overall VOC removal efficiency.
- VOC emissions from natural-gas fired combustion sources under U-00005 Process 07 are limited to 5.5 lbs/MMscf.
- VOC emissions from diesel-fired combustion sources under U-00005 Process 07 are limited to 0.35 lbs VOC/MMBtu.

These limits and associated conditions have been retained as part of this renewal. Changes to condition language has been made where necessary for clarity including separating the various limits into different conditions. Monitoring, testing, recordkeeping, and reporting are specified in the conditions and are consistent with prior permits.

The prior permit contained a monitoring condition under this citation limiting emergency generators S031A, S031B, S031C, S031D, S0032, S0033, S0035, S0037, and S0103 to 500 hours per year. Since an equivalent limit was established for NO<sub>x</sub> LAER under 6 NYCRR 231-6.5, for permit streamlining this condition has been removed as part of this renewal.

Compliance with the VOC LAER limits for the small exempt combustion sources under Process 07 is met through uncontrolled operation and compliance with the 122 tpy VOC emissions limit under 6 NYCRR 201-6.5 that was established at the time of initial permitting. Since no specific compliance method for these LAER limits (beyond the capping condition and uncontrolled operation) are specified for these exempt sources, they have been removed from the permit as emissions sources. The Emission Unit and Process descriptions continue to specify that they include these exempt sources and are subject to LAER. The capping condition ensures that these exempt and trivial sources comply with LAER requirements.

- 6 NYCRR 231-2.9 – VOC emissions from Emission Units U-00001 to U-00005 are subject to the emission offset requirements of 6 NYCRR 231-2.9. To comply with this requirement, the facility obtained 140 tpy of VOC Emission Reduction Credits from LTV Steel Company, Inc. – Pittsburgh Works, Pittsburgh, PA. The 140 tpy ERC is based on the facility-wide (U-00001 – U-00005) VOC emissions of 122 tpy at the time of the Air State Facility Mod 0 permit issuance and a 1:1.15 offset ratio. A monitoring condition establishing the use of these ERCs has been retained as part of this renewal.
- 6 NYCRR 231-6.5 - The Title V Ren 1 Mod 3 modification was significant for non-attainment New Source Review due to NO<sub>x</sub> emissions increase exceeding the significant project threshold and the significant net emissions increase threshold of Part 231-13.3. Therefore, the NO<sub>x</sub> emitting sources involved are subject to the LAER requirements under 6 NYCRR Part 231-6.5. The following conditions were included in the permit to address the NO<sub>x</sub> LAER requirements and have been retained as part of this renewal:

The 247.7 tpy NO<sub>x</sub> emissions limit has been retained in this renewal. This limit is based on the baseline actual emissions of 89.9 tpy and the net emissions increase of 157.8 tpy from the Ren 0 Mod 3 modification. The 157.8 tpy net emissions increase was offset as part of the modification in accordance with this citation. Recordkeeping and reporting are required for compliance demonstrations.

### **NO<sub>x</sub> Emissions Limits for Ceramic Kilns:**

Monitoring conditions have been retained as part of this renewal establishing the NO<sub>x</sub> LAER emission limits for the ceramic kilns at the facility. Please note that as part of this renewal each limit has been included in a separate condition. The NO<sub>x</sub> LAER emission limits for the ceramic kilns have been determined as follows:

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Tunnel Kilns: Maximum of 2.28 pounds NO<sub>x</sub> per hour from POC1 zones and thermal oxidizers, 4.89 pounds NO<sub>x</sub> per hour from POC2 zones and thermal oxidizers, and 1.18 pounds NO<sub>x</sub> per hour from Ware Cool zones for each tunnel kiln. Since operation of the tunnel kilns is roughly steady state, to demonstrate on-going compliance with these limits the facility must conduct periodic stack testing on the tunnel kilns (note: this requirement was added as part of this Renewal).

Periodic Kilns: Maximum of 5.61 pounds NO<sub>x</sub> per hour for each periodic kiln and 194.2 pounds NO<sub>x</sub> per million cubic feet of natural gas combusted during each periodic kiln cycle. Notwithstanding the maximum NO<sub>x</sub> limit above, any periodic kiln may emit up to 8.42 lb/hr of NO<sub>x</sub> provided the total NO<sub>x</sub> of the 4 periodic kilns combined shall not exceed 22.44 lb/hr. Since NO<sub>x</sub> formation is a product of fuel combustion, to demonstrate on-going compliance with these limits, the facility must monitor the quantity of fuel combusted during each firing cycle to ensure that the kilns are operated consistent with their set firing cycle parameters, Control Period Matrix, and initial compliance testing.

The pounds per hour NO<sub>x</sub> emission limits are consistent with the model input in the dispersion model submitted to the Department in May 2015 (updated in March 2021 as part of an operational flexibility request.), demonstrating compliance with the Nitrogen Dioxide Annual and 1-Hour National Ambient Air Quality Standards.

**SNCR Pilot Assessment for Tunnel Kilns 3 and 4:**

In accordance with LAER requirements, a condition was included in prior permits requiring the facility to conduct SNCR pilot analyses for POC2 on Tunnel Kilns 3 and 4. The facility owner or operator completed the pilot analysis on Tunnel Kiln 4 in 2017 and found full-scale SNCR to be infeasible. Note that per the condition, a pilot analyses on Tunnel Kiln 3 is not required if SNCR was found to be infeasible for Tunnel Kiln 4. Therefore, this requirement/condition has been satisfied and has been removed from this permit as part of this renewal.

**NO<sub>x</sub> Emissions Limits for Emergency Generators and Other Small Combustion Sources:**

A NO<sub>x</sub> LAER analysis for the emergency generators and small combustion sources (Processes P07 and P10) was completed as part of the application for Ren 1 Mod 3 of the ATV permit. The analysis is included in the 9 June 2015 document entitled, "Attachment E NO<sub>x</sub> LAER limits for Small Combustion Sources and Emergency Generators".

Multiple monitoring conditions were included that limit emergency generator (Emission Sources S031A, S031B, S031C, S031D, S0032, S0033, S0035, S0037, S0103, S0630, and S0631) operation hours in accordance with LAER. These limits are retained as part of this renewal. The NO<sub>x</sub> emissions from the emergency generators were not included in the NO<sub>x</sub> model inputs based on their intermittent operations and the USEPA March 1, 2011 Memorandum *Additional Clarification Regarding Application of Appendix W Modeling Guidance for the 1-hour NO<sub>2</sub> National Ambient Air Quality Standard*. To ensure that the emergency generators operate as intermittent sources, a monitoring condition has been included to specify the maintenance and testing procedures for the emergency generators. Additionally, per NSPS Subpart IIII and NESHAP Subpart ZZZZ, hours used for testing is limited to 100 hours per year under 40 CFR 60.4211(f) and 40 CFR 63.6640.

Please note that the above LAER requirements and testing hours limit were previously included in a single permit condition but have been moved to separate monitoring conditions for each requirement as part of this renewal.



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NO<sub>x</sub> LAER for the small exempt combustion sources under Process 07 and Process 10 is their existing uncontrolled emission rates in the PTE calculations and compliance with the facility NO<sub>x</sub> emissions cap under 6 NYCRR 201-7. This has been retained as part of this renewal. These limits are consistent with the PTE calculations for these sources at the time of permitting and based on either manufacturer's emission data or U.S. EPA AP-42 emission factors (where no manufacturer's information is available). Since no LAER limits (beyond the capping condition and uncontrolled operation) are specified for these exempt sources, they have been removed from the permit as emissions sources but continue to be included in their current Emission Units. The Emission Unit and Process descriptions continue to specify that they include these exempt sources and are subject to LAER. The capping condition ensures that these exempt and trivial sources comply with LAER requirements.

- 6 NYCRR 231-11.2 – As discussed in this document under 6 NYCRR 212-2, the facility demonstrated compliance with the CO NAAQS through air dispersion modeling submitted in May 2015. Please note that the monitoring condition discussing the results of the CO modeling has been removed as part of this renewal since the results are documented here.
- 6 NYCRR 231-11.2(c) – The facility is subject to the reasonable possibility monitoring requirements of 6 NYCRR 231-11.2 due to VOC, CO, HF, particulates, and CO<sub>2e</sub> emissions increases from Renewal 0 Mod 3 permit modification less than the applicable significant project thresholds under 6 NYCRR 231-13 but greater than 50 percent of the thresholds. A monitoring condition is included requiring monitoring, recordkeeping, and reporting of actual annual emissions to ensure that the projected annual emissions in the Ren 1 Mod 3 application are not exceeded.
- 6 NYCRR 231-12 – As part of the Ren 1 Mod 3 permit modification, the facility was required to demonstrate compliance with the NO<sub>2</sub> NAAQS under this citation. The facility demonstrated compliance with the NAAQS through air dispersion modeling submitted to the Department in May 2015 as documented by monitoring conditions under this citation in the prior permit. Additionally, as required by a monitoring condition in the prior permit the facility was required to conduct a 3-year post construction ambient air monitoring study for NO<sub>2</sub> emissions. The ambient air monitoring study concluded in September 2019 with no exceedances of the NO<sub>2</sub> NAAQS during the study. Since the monitoring required by these conditions has been completed, they have been removed as part of this renewal.

**6 NYCRR Part 257 Ambient Air Quality Standards**

- 257-4 – To ensure that the facility continues to comply with the 6 NYCRR 257-4.2 Ambient Air Quality Standards for Gaseous Fluorides, HF emission rates from Tunnel Kilns 1-4 (ES S0023, S0024, S0620, S0621, respectively) must not exceed the emission rates used in the air dispersion modeling analysis submitted to the Department in May 2015 (updated in March 2021 as part of an operational flexibility request.) Prior permits contained a prescriptive limit (under multiple monitoring conditions and regulatory citations) requiring 95% overall control from the tunnel kiln scrubbers when the raw material fluorine content exceeds 0.00002 lbs/ware as demonstrated through periodic stack testing.

To provide the facility greater flexibility, the facility owner or operator submitted a permit modification application in May 2017 requesting that the prescriptive control requirement be removed for the kilns. In lieu of the control requirement, continued compliance with the ambient standards be demonstrated through regular determination of the ambient impacts using a model input scaling tool and the hourly HF emission rates (based on calculations, fluorine content of the ware, the latest stack test data, and other engineering data as necessary.) This application was never issued by the Department and the facility owner or operator has requested that this change be addressed as part of this renewal instead. Since the 95% control requirement is not a regulatory limit this change in compliance method has been approved as part of this renewal and associated conditions have been removed.

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Additionally, four monitoring conditions under this citation have been added requiring that the facility determine and keep records of the ambient impacts and HF emission rate from simultaneously emitting tunnel kilns on a regular basis to ensure they do not exceed the ambient standards (one for each standard). Additionally, a condition has been included under 6 NYCRR 201-6.5 that specifies that the facility continue to operate the tunnel kiln scrubbers when the fluorine content of the ware exceeds 0.00002 lbs F/lbs ware which is consistent with the modeling inputs.

Please note the Case-by-Case MACT requirements of 0.057 lbs HF/ton or 90% overall control for Tunnel Kilns 1 and 2 and the Periodic Kilns under 40 CFR 63, Subpart B remain in effect as described below. All applicable MACT requirements remain in effect.

**40 CFR 60, Subpart A NSPS General Provisions**

- 40 CFR 60, Subpart A – Specifies the general requirements for monitoring, recordkeeping, and reporting for operations subject to Federal New Source Performance Standards (NSPS).

**40 CFR 60, Subpart III Reciprocating Internal Combustion Engine NESHAP**

- Conditions for the 40 CFR 60, Subpart III requirements applicable to the facility internal combustion engines. The Department has not accepted delegation of 40 CFR 60, Subpart III. Please note that certain conditions have been updated as necessary or removed if the compliance period/submission has passed.
- 40 CFR 60.4207(b) – Specifies fuel requirements for engines subject to this Subpart. The sulfur content limits are superseded by the limits under 6 NYCRR 225-1. Therefore, for permit streamlining a condition has not been included under this citation.

**40 CFR 63, Subpart JJJJJ Brick and Structural Clay Product Manufacturing NESHAP**

- The facility does not manufacture brick or structural clay products per the definition under 40 CFR 63.8515 and therefore not subject to this standard.

**40 CFR 63, Subpart KKKKK Clay Ceramics Manufacturing NESHAP**

- The facility does not manufacture clay ceramic products per the definition under 40 CFR 63.8665 and therefore not subject to this standard.

**40 CFR 63, Subpart SSSSS Refractory Products Manufacturing NESHAP**

- The facility does not manufacture refractory products per the definition under 40 CFR 63.9824 and therefore not subject to this standard.
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**40 CFR 63, Subpart RRRRRR Clay Ceramics Manufacturing Area Source NESHAP**

- The facility does not manufacture clay ceramic products per the definition under 40 CFR 63.11444 and therefore not subject to this standard.

**40 CFR 63, Subpart ZZZZ Reciprocating Internal Combustion Engine NESHAP**

- 40 CFR 63.6590(c) – Affected new or reconstructed stationary RICE located at an area source of HAP emissions meet the requirements of 40 CFR 63, Subpart ZZZZ by meeting the applicable requirements of 40 CFR 60, Subpart III for compression ignition engines. For facility sources which comply with 40 CFR 63, Subpart ZZZZ by complying with 40 CFR 60, Subpart III relevant conditions have been included for Subpart III requirements. This citation has been excluded from the permit as part of this renewal.

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- Conditions for the 40 CFR 63, Subpart ZZZZ requirements applicable to the facility internal combustion engines. The Department has not accepted delegation of 40 CFR 63, Subpart ZZZZ. Please note that certain conditions have been updated as necessary or removed if the compliance period/submission has passed.

**40 CFR 63, Subpart B Control Technology Determinations for Major Sources**

- 40 CFR 63.43(c) – Periodic Kilns 1-4 and Tunnel Kilns 1 and 2 (ES S0019, S0020, S0021, S0022, S0023, and S0024) were subject to Case-by-Case MACT at the time of initial permitting. Therefore, these sources are subject to a limit of 0057 lbs HF/ton or 90% overall control, regardless of the material composition. This limit is retained as part of this Renewal.

The facility owner or operator requested as part of the May 2017 permit modification application that this Case-by-Case MACT limit be removed (consistent with the tunnel kiln control requirement described above). However, this limit was set by a source-specific control determination and is not based on the estimated emission rates used in the air dispersion modeling to demonstrate compliance with the 6 NYCRR 257-4 fluoride standards. Therefore, the proposed change has not been approved and this limit remains in effect.

- 40 CFR 63.43(c) – To ensure adequate operation of the scrubbers a monitoring condition has been included specifying the maintenance and operation procedures for the scrubbers subject to the MACT standard.

**40 CFR 64, Compliance Assurance Monitoring**

- The following facility sources/emission units are tentatively subject to CAM since (1) they have pre-controlled potential emissions of particulates greater than 100 tons per year, (2) are subject to a particulate emission standard, and (3) demonstrate compliance with the emissions standard through an add-on control devices: S0005, S0006, S0007, S0008, S0602, S0606, and S0701.

These sources are subject to the following particulate emission limits specified in monitoring conditions in this permit:

- 6 NYCRR 212-2.5 - 0.05 gr/dscf: S0007, S0008, S0701
- 40 CFR 60, Subpart OOO – 0.0022 gr/dscf: S0005, S0006
- 6 NYCRR 201-7.1 – 0.001 gr/dscf: S0602, S0606

The most recent revision of 40 CFR 60, Subpart OOO was proposed on April 22, 2008. Therefore, since S0005 and S0006 are subject to an NSPS proposed after November 15, 1990, they are exempt from CAM per 40 CFR 64.2(b)(1)(i). Since the 0.001 gr/dscf limit for S0602 and S0606 are established as part of a federally enforceable emissions cap to cap-out of 6 NYCRR 231-8, they are exempt from CAM per 40 CFR 64.2(b)(1)(v). Please note that the facility has continued to include these sources in the CAM plan even though they are exempt from this requirement.

A revised CAM plan (rev 6) was submitted for compliance with the particulate standard on June 22, 2021 as part of this renewal and has been approved by the Department. A monitoring condition for these sources has been included in the permit consistent with the monitoring described in the approved CAM plan. Indicators, indicator ranges, monitoring frequency, QA/QC, excursion, and reporting requirements are included in the condition.

- The following facility sources/emission units are tentatively subject to CAM since (1) they have pre-controlled potential emissions of VOCs greater than 50 tons per year, (2) are subject to a VOC

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emission standard, and (3) demonstrate compliance with the emissions standard through an add-on control devices: S0019, S0020, S0021, S0022, S0023, S0024, S0620, S0621, S0016.

S0019 – S0024 (Periodic Kilns 1-4 and Tunnel Kilns 1-2) are subject to VOC permit limits based on a pre-established LAER determination of 99% VOC control or 1.3 lbs VOC/ton limits. S0620 and S0621 (Tunnel Kilns 3 and 4) are subject to VOC permit limits of 99% or 1.3 lbs VOC/ton based on the calculated emissions to remain below NSR significant project thresholds at the time of permitting. S0016 is subject to Subpart 212-3 VOC RACT control requirements of 81% VOC control.

A revised CAM plan (rev 6) was submitted for compliance with the VOC emission limits for these sources was submitted on June 23, 2021 as part of this renewal and has been approved by the Department. A monitoring condition for these sources has been included in the permit consistent with the monitoring described in the approved CAM plan. Indicators, indicator ranges, monitoring frequency, QA/QC, excursion, and reporting requirements are included in the condition.

- Although various facility sources/emission units may have potential emissions of NO<sub>x</sub> greater than 100 tons per year, add-on NO<sub>x</sub> controls are not used to demonstrate compliance with an emissions standard. Therefore, the facility is not subject to CAM for NO<sub>x</sub>.

**40 CFR 60, Subpart OOO Non-Metallic Mineral Processing NSPS**

- 40 CFR 60.672(a) – Affected facilities that commence construction, modification, or reconstruction on or after April 22, 2008 are subject to a particulate matter emission rate of 0.032 g/dscm (0.014 gr/dscf). For emission points EP E0601 and E0602, this emission limit is superseded by the 0.001 gr/dscf limit under 6 NYCRR 201-7.1 per a monitoring condition elsewhere in this permit. Therefore, for permit streamlining no permit condition is included for this requirement for these emission points. Note that a condition was included in the prior permit. A condition requiring quarterly visible emissions monitoring for sources using baghouses is included consistent with the regulation.

For emission points EP E0003, E0005, and E0006 are subject to a particulate matter emission rate of 0.05 g/dscm (0.022 gr/dscf) and an opacity of 7% for affected facilities that commence construction, modification, or reconstruction prior to April 22, 2008. Compliance with the particulate limit is demonstrated through operation and maintenance of baghouse control devices (C0003, C0005, and C0006). Although no explicit monitoring specified for affected facilities constructed prior to April 22, 2008 using baghouses, a monitoring condition has been included requiring weekly monitoring of baghouse pressure drops to ensure proper operation of these control devices. On-going compliance with the opacity limit is demonstrated through semi-annual visible emissions observations which is more stringent than the monitoring specified by the regulation.

The deadline for the one-time initial compliance demonstrations with the opacity and particulate limits for the above affected facilities under this citation has passed. Therefore, associated permit conditions for the initial compliance demonstrations have been removed as part of this renewal. This includes the one-time initial compliance demonstration with the fugitive opacity limit for affected facilities enclosed in a building under 40 CFR 60.672(e)(1).

- 40 CFR 60.676(f) – This citation specifies the notification requirements for initial startup for affected sources under 40 CFR 60, Subpart OOO. The deadline for this requirement has passed for subject sources at the facility and therefore has been removed from the permit as part of this renewal.