**New York State Department of Environmental Conservation**

**Permit Review Report**

**Permit ID: 9-1464-00113/00031** **5/13/02 13:55:34**

**Facility Identification Data**
Name: TONAWANDA COKE CORP
Address: 3875 RIVER RD
City: TONAWANDA
Zip: 14150

**Owner/Firm**
Name: TONAWANDA COKE CORP
City: TONAWANDA
State: NY Country: USA Zip: 14150
Owner Classification: Corporation/Partnership

**Permit Contacts**
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3875 RIVER ROAD
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## 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)(2) 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 separate document and is not itself an enforceable term and condition of the permit.

**Summary Description of Proposed Project**
This is a Title V facility operating permit as required by 6 NYCRR Part 201. The Title V permit will supersede the existing emission point Certificates to Operate.

**Attainment Status**
TONAWANDA COKE CORP is located in the town of TONAWANDA in the county of ERIE.
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* | MARGINAL NON-ATTAINMENT |
| Oxides of Nitrogen (NOx)** | ATTAINMENT |
| Carbon Monoxide (CO) | ATTAINMENT |

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

**Facility Description**
Tonawanda Coke Corporation is a merchant by-product coke facility whose main product is metallurgical foundry coke. Coke is produced through a destructive distillation process in which coal is heated in ovens in an oxygen deficient atmosphere. The volatile materials in the heated coal are removed from the ovens as coke oven gas. The coke oven gas is processed to remove desired by-products, then the gas is combusted in boilers to produce steam for the facility and in the coke ovens to heat the coal. In addition to foundry coke, Tonawanda Coke also produces and sells the cokemaking by-products coal tar and light oil. Light oil is an industry name for an oil-like substance which is mainly composed of benzene, toluene, and xylenes.

**Permit Structure and Description of Operations**
The Title V permit for TONAWANDA COKE CORP
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. |

TONAWANDA COKE CORP is defined by the following emission unit(s):
Emission unit UACBLD - This emission unit includes the processes that steam strip ammonia from the ammonia liquor that is removed as a waste contaminant from the raw coke oven gas collected in the coke battery. The remaining clean water is discharged to the local municipal sewage treatment facility.
Emission unit UACBLD is associated with the following emission points (EP):
ACBD1, ACBD2
It is further defined by the following process(es):
Process: A14 is located at Building AC BUILD - Aqueous ammonia is steam stripped in the AC building. The ammonia and steam are emitted and the cleaned water is discharged to the P.O.T.W.

Emission unit UBPROD - This emission unit includes the processes that recover by-products from the coke oven gas. By-products recovered for sale by Tonawanda Coke are coal tar and light oil.
It is further defined by the following process(es):
Process: A16Surges in available aqueous cooling media are held in this tank for impending pumping into the system.
Process: A17Combined flushing liquor and tar are conveyed to the BH decanter where the insoluble and heavier tar settles to the bottom. The lighter aqueous liquid is decanted from the top.
Process: A18When transportation is unavailable (truck or rail tanker) tar is held in tanks until suitable transport arrives.
Process: A21 is located at Building EXHAUSTER - Multistage centrifugal fans draw a suction on the coke ovens and pressurize coke oven gas on the discharge side of the exhauster. Only one of the three units is operated at any given time.
Process: A26This tank acts as the reservoir for wash oil to be pumped to the absorber tower. Wash oil is directed to this tank after the light oil has been removed from the wash oil.
Process: A27Condensed steam and wash oil flow from the light oil removal operation and flow to the wash oil decanter where the wash oil and water separate. The wash oil is recovered and sent to the wash oil circulation tank.
Process: A28This process receives the water portion from the wash oil decanter. Additional residence time is afforded there to separate and recover any remaining wash oil.
Process: A32This process is the collection of storage tank vapors and their routing to the suction side of the coke oven gas collector main. Emissions result from equipment leaks and are regulated by 40 CFR 61 Subpart L.
Process: A33This process is equipment leaks for the light oil system. All of the light oil piping flanges,

valves, line ends, and pumps from the light oil condensor to the light oil storage tank and ultimately to load out in transportation tanks are included.

Emission unit UCOALM - This emission unit includes all of the coal handling equipment used to prepare the coal for charging into the ovens. Up to seven different coals are taken from the coal storage piles and placed into bins where they are released to a controlled feed system that conveys the coals to a pulverizer unit. The pulverized mixed coal blend is sent to coke oven bunkers to be charged into the ovens.
It is further defined by the following process(es):
Process: A13 is located at Building COAL HANDL - The various coals are placed in bins where they are released to a controlled feed system that conveys up to seven different coals to the pulverizer unit. The pulverized mixed coal blend is sent to coke oven bunkers to be charged into the coke oven.

Emission unit UCOKEB - This emission unit includes all of the equipment for the operation coke oven battery itself. Operations include coal charging, coke pushing, coke quenching, and battery heating.
Emission unit UCOKEB is associated with the following emission points (EP):
PUSH2, QUEN1, QUEN2, STAC2
It is further defined by the following process(es):
Process: A04 is located at 3875 RIVER RD., Building CKE BATTRY - The process involves charging, pushing, quenching, leaks and waste heat stack associated with a coke oven battery consisting of 60 coke ovens.

Emission unit UCOKES - This emission unit includes all of the coke handling equipment at the facility. Cooled coke is conveyed to the screening station where screens of various dimensions are arranged on shakers that product a specified coke size distribution designated by the end user.
It is further defined by the following process(es):
Process: A12 is located at Building COKE SCREE - Run of oven coke is conveyed to the screening station where screens of various dimensions are arranged on shakers that produce a specified size distribution designated by the end user.

Emission unit ULOSTG - This emission unit includes the light oil storage tank. Light oil is stored in this tank until sufficient quantities are collected for off site transportation.
Emission unit ULOSTG is associated with the following emission points (EP):
LOSTG
It is further defined by the following process(es):
Process: A24Crude light oil flows by gravity from the light oil still to the light oil storage tank. This tank is always at ambient conditions.

Emission unit USURGT - This emission unit consists of the weak ammonia liquor surge tank. The tank receives excess flushing liquor from the coal tar removal system. The unit operates with a condensate seal in the vent and in a near steady level operational state.
Emission unit USURGT is associated with the following emission points (EP):
SURGT
It is further defined by the following process(es):
Process: A20The process receives excess flushing liquor from the BH system. The unit operates with a

condensate water seal in the vent. The unit operates in a near steady level, rather than a fill-empty cycle.

Emission unit UWOSTG - This emission unit consists of the virgin wash oil storage tank. Wash oil is used in emission unit U-BPROD to remove light oil from the coke oven gas stream.
Emission unit UWOSTG is associated with the following emission points (EP):
WOSTG
It is further defined by the following process(es):
Process: A25Virgin wash oil is stored in this tank. This purchased material is a high boiling (>212 degrees) oil that is used to absorb the light oil out of the coke oven gas.

Emission unit UWLSTG - This emission unit includes three weak ammonia liquor storage tanks. These tanks store the weak liquor until it is treated in emission unit U-ACBLD.
It is further defined by the following process(es):
Process: A29Storage of excess ammonia bearing aqueous liquid produced in the coking process.

Emission unit U00001 - This emission unit includes the facility boilers. Three boilers are used at various times at the facility. All three boilers are capable of burning either natural gas or coke oven gas.
Emission unit U00001 is associated with the following emission points (EP):
00001, 00003, 00004
It is further defined by the following process(es):
Process: A01 is located at Building BOILER HSE - This process is for the boiler operation burning natural gas. Note that coke oven gas and natural gas are co-burned at emission unit U-00001.
Process: A02 is located at Building BOILER HSE - This process is for the boiler operation burning coke oven gas. Note that coke oven gas and natural gas are co-burned at emission unit U-00001.

**Title V/Major Source Status**
TONAWANDA COKE CORP is subject to Title V requirements. This determination is based on the following information:
The Tonawanda Coke facility emits nitrogen oxides and sulfur dioxides at levels above the major source thresholds of 100 tons per year.

**Program Applicability**
The following chart summarizes the applicability of TONAWANDA COKE CORP with regards to the principal air pollution regulatory programs:

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

| | |
|---|---|
| NSPS | NO |
| TITLE IV | NO |
| TITLE V | YES |
| TITLE VI | NO |
| RACT | YES |
| SIP | YES |

NOTES:

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

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

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

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

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

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

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

appliances.

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

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

**Compliance Status**

Facility is in compliance with all requirements

**SIC Codes**

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

| SIC Code | Description |
|---|---|
| 3312 | BLAST FURNACES AND STEEL MILLS |

**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 |
|---|---|
| 1-02-007-07 | EXTERNAL COMBUSTION BOILERS - INDUSTRIAL<br>INDUSTRIAL BOILER - PROCESS GAS<br>Coke Oven Gas |
| 3-90-008-99 | IN-PROCESS FUEL USE<br>INDUSTRIAL PROCESSES - IN-PROCESS FUEL USE<br>GENERAL: COKE |
| 3-06-014-02 | PETROLEUM INDUSTRY<br>PETROLEUM INDUSTRY - PETROLEUM COKE CALCINING |

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                    DELAYED COKING
3-03-003-31         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    BY-PRODUCT COKE MANUFACTURING
3-03-003-61         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    BY-PRODUCT COKE MANUFACTURING - EQUIPMENT LEAKS
3-03-003-41         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    BY-PRODUCT COKE MANUFACTURING - LIGHT OIL SUMP
3-03-003-36         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    BY-PRODUCT COKE MANUFACTURING - TAR STORAGE
3-03-003-43         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    BY-PRODUCT COKE MANUFACTURING - WASH OIL DECANTER
3-03-003-44         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    BY-PRODUCT COKE MANUFACTURING - WASH-OIL CIRCULATION TANK
3-03-003-09         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    Coal Conveying
3-03-003-12         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    Coke: Crushing/Screening/Handling
3-03-003-33         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    EXCESS-AMMONIA LIQUOR TANK
3-03-003-32         PRIMARY METAL PRODUCTION
ard                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    FLUSHING-LIQUOR CIRCULATION TANK
3-03-003-99         PRIMARY METAL PRODUCTION
                    PRIMARY METAL PRODUCTION (BY-PRODUCT COKE
                    MANUFACTURING)
                    NOT CLASSIFIED **
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**Facility Emissions Summary**

In the following table, the CAS No. or Chemical Abstract Series code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant , including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for

that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

| Cas No. | Contaminant Name | PTE lbs/yr | PTE Range |
|---|---|---|---|
| 007664-41-7 | AMMONIA | | >= 250 tpy |
| 000071-43-2 | BENZENE(HAP) | | > 0 but < 10 tpy |
| 000630-08-0 | CARBON MONOXIDE | | >= 25 tpy but < 40 tpy |
| 0NY100-00-0 | HAP | | >= 2.5 tpy but < 10 tpy |
| 007783-06-4 | HYDROGEN SULFIDE | | > 0 but < 2.5 tpy |
| 007439-92-1 | LEAD(HAP) | | > 0 but < 10 tpy |
| 000091-20-3 | NAPHTHALENE(HAP) | | > 0 but < 10 tpy |
| 0NY210-00-0 | OXIDES OF NITROGEN | | >= 100 tpy but < 250 tpy |
| 0NY075-00-0 | PARTICULATES | | >= 50 tpy but < 100 tpy |
| 0NY075-00-5 | PM-10 | | >= 25 tpy but < 40 tpy |
| 007446-09-5 | SULFUR DIOXIDE | | >= 250 tpy |
| 000108-88-3 | TOLUENE(HAP) | | > 0 but < 10 tpy |
| 0NY998-00-0 | VOC | | >= 2.5 tpy but < 10 tpy |
| 001330-20-7 | XYLENE, M, O & P MIXT.(HAP) | | > 0 but < 10 tpy |

## NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

**Item A:** **Sealing - 6NYCRR Part 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B:** **Acceptable Ambient Air Quality - 6NYCRR Part 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A,

no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Item C: Maintenance of Equipment - 6NYCRR Part 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2**

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

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

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

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

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

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

**Item F:** **Recycling and Salvage - 6NYCRR Part 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Item G:** **Prohibition of Reintroduction of Collected Contaminants tothe Air - 6NYCRR Part 201-1.8**

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

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

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

**Item I:** **Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart

201-3, 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.

**Item J:** **Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**
The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, 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.

**Item K:** **Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Item L:** **Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statementsand information in the document are true, accurate, and complete.

**Item M:** **Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**Item N:** **Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**
This permit may be modified, revoked, reopened and reissued, or

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

**Item O:** **Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)**

The permittee shall furnish to the Department, within a reasonable

d time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

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

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

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

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

**Item R:** **Fees - 6 NYCRR Part 201-6.5(a)(7)**

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

**Item S:** **Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)**

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

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

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

**Item U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)**

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility

provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

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

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

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on 0 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 X: Reopening for Cause - 6 NYCRR Part 201-6.5(i)**

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after

promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

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

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

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

**Item Y:** **Required Emission Tests - 6 NYCRR Part 202-1.1**

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

**Item Z:** **Visible Emissions Limited - 6 NYCRR Part 211.3**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six

minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Item AA:** **Open Fires - 6 NYCRR Part 215**
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**Item BB:** **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 CC:** **Federally Enforceable Requirements - 40 CFR 70.6(b)**
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

Item A: **General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**
Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may

be sufficient reason for the Department to revoke or deny a permit.

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

**Regulatory Analysis**

| Location Facility/EU/EP/Process/ES | Regulation | Short Description | Condition |
|---|---|---|---|
| U-BPROD | 40CFR 61-L.130(a) | Standard for Benzene Emissions from Coke By-Product Recovery Plants | 42 |
| U-BPROD | 40CFR 61-L.132(a) | Standard:process vessels,storage tanks,tar sumps - Design Requirements | 43 |
| U-BPROD | 40CFR 61-L.132(b) | Standard for Benzene Emissions from Coke By-Product Recovery Plants- standard:process vessels,storage tanks,tar sumps | 44 |
| U-BPROD | 40CFR 61-L.132(c) | Standard for Benzene Emissions from Coke By-Product Recovery Plants- standard:process vessels,storage tanks,tar sumps | 45 |
| U-BPROD | 40CFR 61-L.135(a) | Standard for Benzene Emissions from Coke By-Product Recovery Plants- standard:equipment leaks | 46 |
| U-BPROD | 40CFR 61-L.135(b) | Standard for Benzene Emissions from Coke By-Product Recovery Plants- standard:equipment leaks | 47 |
| U-BPROD | 40CFR 61-L.135(c) | Standard for Benzene Emissions from Coke By-Product Recovery Plants- standard:equipment leaks | 48 |
| U-BPROD/-/A21 | 40CFR 61-L.135(d) | Standard for Benzene Emissions from Coke By-Product Recovery Plants- standard:equipment leaks | 52 |
| U-BPROD | 40CFR 61-L.136(c) | Compliance provisions and alternative means of emission limitation | 49 |

| | | | |
|---|---|---|---|
| U-BPROD | 40CFR 61-L.138(a) | Recordkeeping and reporting requirements | 50 |
| U-BPROD | 40CFR 61-L.138(f) | Recordkeeping and reporting requirements | 51 |
| U-BPROD/-/A33 | 40CFR 61-V.242-1 | Standards for equipment leaks (fugitive emission sources) - standards: general | 53 |
| U-BPROD/-/A33 | 40CFR 61-V.242-10 | Standards: Delay of Repair | 54 |
| U-BPROD/-/A33/LOPMP | 40CFR 61-V.242-2(a)(1) | Standards for equipment leaks (fugitive emission sources) - standards: pumps | 62 |
| U-BPROD/-/A33/LOPMP | 40CFR 61-V.242-2(a)(2) | Standards for equipment leaks (fugitive emission sources) - standards: pumps | 63 |
| U-BPROD/-/A33/LOEND | 40CFR 61-V.242-6 | Standards for equipment leaks (fugitive emission sources) - standards: open-ended valves or lines | 60 |
| U-BPROD/-/A33/LOVLV | 40CFR 61-V.242-7(a) | Standards for equipment leaks (fugitive emission sources) - standards: valves | 64 |
| U-BPROD/-/A33/LOFNG | 40CFR 61-V.242-8 | Standards for equipment leaks (fugitive emission sources) - standards: pressure relief devices liquid service,flanges/other | 61 |
| U-BPROD/-/A33 | 40CFR 61-V.245(b) | Test methods and procedures | 55 |
| U-BPROD/-/A33 | 40CFR 61-V.246(b) | Recordkeeping requirements | 56 |
| U-BPROD/-/A33 | 40CFR 61-V.246(c) | Recordkeeping requirements | 57 |
| U-BPROD/-/A33 | 40CFR 61-V.246(e) | Recordkeeping requirements | 58 |
| U-BPROD/-/A33/LOVLV | 40CFR 61-V.246(f) | Recordkeeping requirements | 65 |
| U-BPROD/-/A33 | 40CFR 61-V.247 | Reporting requirements | 59 |
| U-COKEB/-/A04/00005 | 40CFR 63-L.302(a)(1)(i)('B') | National Emission Standards for coke oven batteries - standards for by-product coke batteries | 88 |
| U-COKEB/-/A04/00006 | 40CFR 63-L.302(a)(1)(ii) | National Emission Standards for coke oven batteries - standards for by-product coke batteries | 92 |
| U-COKEB/-/A04/00007 | 40CFR 63-L.302(a)(1)(iii) | National Emission Standards for coke oven batteries - standards for by-product coke batteries | 94 |
| U-COKEB/-/A04/00004 | 40CFR 63-L.302(a)(1)(iv) | National Emission Standards for coke oven batteries - standards for by-product coke batteries | 83 |
| U-COKEB/-/A04/00005 | 40CFR 63-L.302(a)(2)(ii) | National Emission Standards for coke oven batteries - standards for by-product coke batteries | 89 |

| | | | |
|---|---|---|---|
| U-COKEB | 40CFR 63-L.306(a) | National Emission Standards for coke oven batteries - work practice standards | 67 |
| U-COKEB | 40CFR 63-L.306(c)(2) | National Emission Standards for coke oven batteries - work practice standards | 68 |
| U-COKEB | 40CFR 63-L.306(d) | National Emission Standards for coke oven batteries - work practice standards | 69 |
| U-COKEB | 40CFR 63-L.307(a)(2) | National Emission Standards for coke oven batteries - standards for bypass/bleeder stacks | 70 |
| U-COKEB | 40CFR 63-L.307(b) | National Emission Standards for coke oven batteries - standards for bypass/bleeder stacks | 71 |
| U-COKEB | 40CFR 63-L.307(c) | National Emission Standards for coke oven batteries - standards for bypass/bleeder stacks | 72 |
| U-COKEB | 40CFR 63-L.308 | National Emission Standards for coke oven batteries - standards for collecting mains | 73 |
| U-COKEB | 40CFR 63-L.309 | National Emission Standards for coke oven batteries - performance tests and procedures | 74 |
| U-COKEB | 40CFR 63-L.310 | National Emission Standards for coke oven batteries - reqts for startups, shutdowns, and malfunctions | 75 |
| U-COKEB | 40CFR 63-L.311(d) | National Emission Standards for coke oven batteries - reporting and recordkeeping reqts | 76 |
| U-COKEB | 40CFR 63-L.311(e) | National Emission Standards for coke oven batteries - reporting and recordkeeping reqts | 77 |
| U-COKEB | 40CFR 63-L.311(f) | National Emission Standards for coke oven batteries - reporting and recordkeeping reqts | 78 |
| U-COKEB | 40CFR 63-L.311(g) | National Emission Standards for coke oven batteries - reporting and recordkeeping reqts | 79 |
| U-COKEB | 40CFR 63-L.312 | National Emission Standards for coke oven batteries - existing regulations and requirements | 80 |
| FACILITY | 40CFR 82-F. | Protection of Stratospheric Ozone - recycling and emissions reduction | 32 |
| FACILITY | 6NYCRR 200.5 | Sealing. | 1 |
| FACILITY | 6NYCRR 200.6 | Acceptable ambient air quality. | 2 |
| FACILITY | 6NYCRR 200.7 | Maintenance of equipment. | 3 |
| FACILITY | 6NYCRR 201-1.10(b) | Permitting - public access to records kept for Title V permitting | 8 |

| | | | |
|---|---|---|---|
| FACILITY | 6NYCRR 201-1.2 | Permitting - unpermitted emission sources | 4 |
| FACILITY | 6NYCRR 201-1.4 | Unavoidable noncompliance and violations | 103 |
| FACILITY | 6NYCRR 201-1.5 | Emergency defense | 5 |
| FACILITY | 6NYCRR 201-1.7 | Recycling and Salvage | 6 |
| FACILITY | 6NYCRR 201-1.8 | Prohibition of reintroduction of collected contaminants to the air | 7 |
| FACILITY | 6NYCRR 201-3.2(a) | Exempt Activities - Proof of eligibility | 9 |
| FACILITY | 6NYCRR 201-3.3(a) | Trivial Activities - proof of eligibility | 10 |
| FACILITY | 6NYCRR 201-5. | State Facility Permit General Provisions | 104, 105 |
| FACILITY | 6NYCRR 201-5.3(b) | Permit Content and Terms of Issuance - permit conditions | 106 |
| FACILITY | 6NYCRR 201-6. | Title V Permits and the Associated Permit Conditions | 11, 12, 14, 15, 17, 18, 19, 20, 21, 22, 23, 33, 34, 13, 16 |
| FACILITY | 6NYCRR 201-6.5(c)(3)(ii) | Permit conditions for Recordkeeping and Reporting of Compliance Monitoring | 25 |
| FACILITY | 6NYCRR 201-6.5(e) | Compliance Certification | 24 |
| FACILITY | 6NYCRR 201-6.5(g) | Permit shield | 26 |
| FACILITY | 6NYCRR 202-1.1 | Required emissions tests. | 27 |
| FACILITY | 6NYCRR 202-2.1 | Emission Statements - Applicability | 28 |
| FACILITY | 6NYCRR 202-2.5 | Emission Statements - record keeping requirements. | 29 |
| FACILITY | 6NYCRR 211.2 | General Prohibitions - air pollution prohibited. | 107 |
| FACILITY | 6NYCRR 211.3 | General Prohibitions - visible emissions limited | 30 |
| U-LOSTG/LOSTG/A24/00024 | 6NYCRR 212.3(a) | General Process Emission Sources - emissions from existing emission sources | 110 |
| U-COALM/-/A13/00013 | 6NYCRR 212.6(a) | General Process Emission Sources - opacity of emissions limited | 66 |
| U-COKES/-/A12/00012 | 6NYCRR 212.6(a) | General Process Emission Sources - opacity of emissions limited | 102 |
| U-ACBLD/ACBD1/A14/00014 | 6NYCRR 212.9(a) | Tables. | 108 |
| U-ACBLD/ACBD2/A14/00014 | 6NYCRR 212.9(a) | Tables. | 109 |
| U-COKEB/-/A04/00004 | 6NYCRR 214.10(b) | Exceptions. | 82 |
| U-COKEB/-/A04/00005 | 6NYCRR 214.10(b) | Exceptions. | 87 |
| U-COKEB/-/A04/00007 | 6NYCRR 214.10(b) | Exceptions. | 93 |
| U-COKEB/-/A04/00004 | 6NYCRR 214.3 | Coal charging systems. | 81 |
| U-COKEB/-/A04/00008 | 6NYCRR 214.4 | Coke pushing and transport to quench tower. | 95 |
| U-COKEB/-/A04/00009 | 6NYCRR 214.5 | Wet quench towers. | 96 |
| U-COKEB/-/A04/00010 | 6NYCRR 214.5 | Wet quench towers. | 97 |
| U-COKEB/STAC2 | 6NYCRR 214.6 | Waste heat (underfire)stacks. | 98, 99 |
| U-COKEB/-/A04/00005 | 6NYCRR 214.7 | Oven doors. | 84 |

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|---|---|---|---|
| U-COKEB/-/A04/00005 | 6NYCRR 214.7(c) | Oven door maintenance | 85 |
| U-COKEB/-/A04/00005 | 6NYCRR 214.7(d) | Work practice and maintenance plan | 86 |
| U-COKEB/-/A04/00006 | 6NYCRR 214.8(a) | Charging hole lids and offtake piping. | 90 |
| U-COKEB/-/A04/00006 | 6NYCRR 214.8(b) | Charging hole lids and offtake piping. | 91 |
| U-COKEB/STAC2/A04/00011 | 6NYCRR 214.9(a) | Coke oven fuel gas-sulfur recovery/desulfurization systems | 101 |
| U-COKEB/STAC2 | 6NYCRR 214.9(b) | Reasonably available control technology | 100 |
| FACILITY | 6NYCRR 215. | Open Fires | 31 |
| U-00001 | 6NYCRR 227-1.3(a) | Smoke Emission Limitations. | 35 |
| U-00001/-/A01/00001 | 6NYCRR 227-2.4(c)(1)(iii) | Control requirements for midsized boilers firing fuels other than gas, distillate oil or residual oil. | 36 |
| U-00001/-/A02/00001 | 6NYCRR 227-2.4(c)(1)(iii) | Control requirements for midsized boilers firing fuels other than gas, distillate oil or residual oil. | 39 |
| U-00001/-/A01/00002 | 6NYCRR 227-2.4(d) | RACT for Oxides of Nitrogen - small boilers. | 37 |
| U-00001/-/A01/00003 | 6NYCRR 227-2.4(d) | RACT for Oxides of Nitrogen - small boilers. | 38 |
| U-00001/-/A02/00002 | 6NYCRR 227-2.4(d) | RACT for Oxides of Nitrogen - small boilers. | 40 |
| U-00001/-/A02/00003 | 6NYCRR 227-2.4(d) | RACT for Oxides of Nitrogen - small boilers. | 41 |

**Applicability Discussion:**

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

6NYCRR Part 200-.5
Allows for the sealing of non-compliant air contamination sources

6NYCRR Part 200-.6
Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6NYCRR Part 200-.7
Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6NYCRR Part 201-1.2

Any existing emission source that is required to be permitted or registered but has not done so, must apply for the necessary permit or registration. The source is subject to all regulations that were applicable at the time the original permit or registration was required as well as any subsequent applicable requirements that came into effect since.

6NYCRR Part 201-1.4
This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up shutdown, malfunction or upset in the event that these are unavoidable.

6NYCRR Part 201-1.5
An enforcement action may be avoided if the facility can demonstrate that an emergency situation occurred which resulted in an emission limitation or permit violation. The following information would constitute evidence of an emergency situation: a properly signed operating log recorded during the actual event which; identifies the cause(s) of the emergency, indicates that all equipment was operating properly at the time, the person responsible took all reasonable steps to minimize the exceedance or violation, and that the department was notified of the emergency within 2 working days of the event.

6NYCRR Part 201-1.7
Requires the recycle and salvage of collected air contaminants where practical

6NYCRR Part 201-1.8
Prohibits the reintroduction of collected contaminants to the air

6NYCRR Part 201-1.10(b)
Any permit application, compliance plan, permit, and monitoring and compliance certification report that is submitted as part of the Title V permit process must be made available to the public as per requirements set forth under 6 NYCRR Part 616 - Public Access to Records and section 114(c) of the Clean Air Act Amendments of 1990.

6NYCRR Part 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.

6NYCRR Part 201-3.3(a)
The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6NYCRR Part 201-5
General Provisions - this requirement applies to those permit terms and conditions which are not federally enforceable; specifies that permittees must maintain emission units and control devices in compliance with all rules; authorizes reasonable access for inspections for department representatives; requires that on-site monitoring recordkeeping be made available for review for at least 5 years.

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

6NYCRR Part 201-5.3(b)
Lists those contaminants subject to contaminant specific requirements

6NYCRR Part 201-6
General provisions for Title V permits including:
Applicable Criteria, Limits, Terms, Conditions and Standards - requires that facility operations take place in accordance with approved criteria, emission limits, terms, conditions and standards as specified in the permit and that any documents required by the federally enforceable portion of the permit be certified by a responsible official

Cessation or Reduction of Permitted Activity Not a Defense - specifies that the cessation or reduction of a permitted activity to maintain compliance is not a defense in an enforcement action

Compliance Requirements - lists the information that must be included in any required compliance monitoring records and reports; and requires; compliance with any approved compliance schedule; the submittal of risk management plans as per 112(r) of the Act if necessary; and the submittal of compliance progress reports on a semiannual basis, at a minimum

Federally-Enforceable Requirements - specifies what permit terms and conditions, in general, are federally enforceable

Fees - requires the permittee to pay any required fees

Monitoring, Related Recordkeeping and Reporting Requirements - requires all compliance monitoring and recordkeeping to be conducted according to the terms and conditions of the permit and any Q/A requirements; any monitoring or support information is to be retained for minimum of 5 years.

Permit Revocation, Modification, Reopening, Reissuance or Termination and Associated Information Submission Requirements - specifies that the permit may be modified, revoked, reopened and reissued, or terminated for cause; and the permittee must furnish information regarding the permit to the department upon reasonable request

Permit Shield - sets forth criteria under which the permit shield applies and what authority the department maintains in pursuing violations
Property Rights - specifies that the permit does not convey any property rights

Reopening Cause - sets forth criteria and procedures for reopening a permit
Right to Inspect - establishes authority whereby department representatives may enter and inspect a facility

Severability - establishes that the permit continues to be valid in instances where any provisions, parts or conditions of the permit are found to be invalid or are the subject of a challenge

6NYCRR Part 201-6.5(e)
Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6NYCRR Part 201-6.5(g)
Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the federally enforceable portion of the permit, unless they are specifically addressed by it.

6NYCRR Part 202-1.1
Specifies that emissions tests may be required to ascertain compliance with any air pollution codes and rules.

6NYCRR Part 202-2.1
Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

6NYCRR Part 202-2.5
Specifies the emission statement records that must be maintained for a 5 year period.

6NYCRR Part 211-.2

General air pollution prohibition

6 NYCRR Part 211.3
Restricts the opacity of visible emissions from any air contamination source.

6 NYCRR Part 215
Prohibits open fires at industrial and commercial sites.

40 CFR Part 82, Subpart F
Requires affected permittees to comply with the recycling and emissions reduction standards specified by this rule when using ozone depleting substances identified under Title VI of the Act. Specifically, these regulations apply to the following persons or activities:
a. Persons opening appliances for maintenance, service, repair, or disposal
b. Equipment used during the maintenance, service, repair, or disposal of appliances
c. Persons performing maintenance, service, repair, or disposal of appliances
d. Persons disposing of small appliances, motor vehicle air conditioners or MVAC's, and MVAC-like appliances
e. Persons owning commercial or industrial process refrigeration equipment
f. Owners/operators of appliances normally containing 50 or more pounds.
If applicable, the above persons or activities may be required to comply with certain disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

**Facility Specific Requirements**
In addition to Title V, TONAWANDA COKE CORP has been determined to be subject to the following regulations:

40CFR 61-L.130 (a)
This regulation defines the specific types of emission sources located at foundry coke by-product recovery plants that are subject to NESHAP Subpart L.

40CFR 61-L.132 (a)
This regulation contains standards for enclosure and sealing of all openings on process vessels, tar storage tanks, and tar-intercepting sumps at foundry coke by-product plants.

40CFR 61-L.132 (b)
This regulation contains monitoring requirements, leak detection standards, and repair time frames for control equipment used to comply with 40 CFR 61.132(a).

40CFR 61-L.132 (c)

This regulation requires an annual maintenance inspection of all control systems used to comply with 40 CFR 61.132(a).

40CFR 61-L.135 (a)
This regulation refers to the requirements for equipment in benzene service.

40CFR 61-L.135 (b)
This regulation refers to the exceptions to 40 CFR 61 Subpart V that pertain to equipment in benzene service.

40CFR 61-L.135 (c)
This regulation requires labeling of equipment in benzene service.

40CFR 61-L.135 (d)
This regulation requires quarterly leak detection monitoring of each exhauster.

40CFR 61-L.136 (c)
This regulation details the additional requirements associated with a foundry coke plant becoming a furnace coke plant.

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40CFR 61-L.138 (a)
This regulation details records that must be maintained regarding control equipment design, inspections, and annual coke production.

40CFR 61-L.138 (f)
This regulation details reporting requirements for leak detection and repair activities.

40CFR 61-V.242-1
This regulation requires that each piece of equipment subject to 40 CFR 61 Subpart V be marked in such a manner that it can be readily distinguished from other pieces of equipment not subject to Subpart V.

40CFR 61-V.242-10
This regulation sets the standards for allowing the delayed repair of equipment for which leaks have been detected.

40CFR 61-V.242-2 (a) (1)
This regulation requires monthly leak detection monitoring of each pump. It also sets the standard for determining the presence of a leak at 10,000 ppm (by volume) VOC and details required repair time frames.

40CFR 61-V.242-2 (a) (2)
This regulation requires weekly visual inspection of each pump for the presence of liquids dripping from pump seals. It also sets required time frames for repairs.

40CFR 61-V.242-6
This regulation sets standards for sealing open ended valves and lines.

40CFR 61-V.242-7 (a)
This regulation requires monthly leak detection monitoring of each valve. It also sets 10,000 ppm (by volume) VOC as the standard for determining the presence of a leak and sets required repair time frames.

40CFR 61-V.242-8
This regulation requires monitoring of pressure relief devices in liquid service, flanges, and other connectors if a potential leak is identified by visual, olfactory, audible, or other means. It also sets 10,000 ppm (by volume) VOC as the standard for determining the presence of a leak and sets required repair time frames.

40CFR 61-V.245 (b)
This regulation sets specific requirements for the use of monitoring equipment.

40CFR 61-V.246 (b)
This regulation details the specific information that must be maintained whenever a leak is detected according to the pump and valve provisions in 40 CFR 61 Subpart V.

40CFR 61-V.246 (c)
This regulation details actions to be taken to visibly identify leaking pumps and valves.

40CFR 61-V.246 (e)
This regulation specifies the information that must be maintained in a log for each piece of equipment to which a standard applies.

40CFR 61-V.246 (f)
This regulation specifies the information that must be maintained in a log for each valve subject to 40 CFR 61 Subpart V.

40CFR 61-V.247
This regulation specifies the information that must be contained in the semiannual report for 40 CFR 61 Subpart V.

40CFR 63-L.302 (a) (1) (i) ('B')
This regulation limits the discharge of coke oven emissions from byproduct coke oven batteries by setting the standards which are used to determine if excessive coke oven door leaks are present.

40CFR 63-L.302 (a) (1) (ii)
This regulation limits the discharge of coke oven emissions from byproduct coke oven batteries by setting the standards which are used to determine if excessive coke oven topside port lid leaks are present.

40CFR 63-L.302 (a) (1) (iii)
This regulation limits the discharge of coke oven emissions from byproduct coke oven batteries by setting the standards which are used to determine if excessive coke oven offtake system leaks are present.

40CFR 63-L.302 (a) (1) (iv)
This regulation limits the discharge of coke oven emissions from byproduct coke oven batteries to no

more than 12 seconds of visible emissions per charge. A logarithmic 30-day rolling average of the seconds of visible emissions per charge is used to determine compliance.

40CFR 63-L.302 (a) (2) (ii)
This regulation limits the discharge of coke oven emissions from byproduct coke oven batteries by setting the standards which are used to determine if excessive coke oven door leaks are present.

40CFR 63-L.306 (a)
This regulation requires the permittee to prepare a written emission control work plan for each coke oven battery. The plan must be designed to achieve compliance with visible emission limitations for coke oven doors, topside port lids, offtake systems, and charging operations.

40CFR 63-L.306 (c) (2)
This regulation contains implemention provisions for the emission control work practice plan required by 40 CFR 63.306(a), Subpart L.

40CFR 63-L.306 (d)
This regulation contains governing provisions for any revisions of the emission control work practice plan required by 40 CFR 63.306(a), Subpart L.

40CFR 63-L.307 (a) (2)
This regulation prevents venting of coke oven emissions through bypass/bleeder stacks unless a flare system is used.

40CFR 63-L.307 (b)
This regulation sets the requirements for any bypass/bleeder stack flare.

40CFR 63-L.307 (c)
This regulation requires flares that are installed to meet the requriements of 40 CFR 63.307 to be operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. It also sets the standards for determining compliance and notes the recordkeeping and reporting requirements.

40CFR 63-L.308
This regulation details the frequency and procedures for by-product coke oven battery collecting main leak inspections.

40CFR 63-L.309
This regulation requires daily performance tests for each coke oven battery. Test results will be used to determine compliance with visible emission limitations for coke oven doors, topside port lids, offtake systems, and charging operations. Standards and procedures for the performance testing is specified.

40CFR 63-L.310
This regulation details the requirements for startups, shutdowns, and malfunctions of coke oven batteries.

40CFR 63-L.311 (d)

This regulation details the information that must be included in the semiannual compliance certification report.

40CFR 63-L.311 (e)
This regulation requires the reporting of any venting of coke oven gas through a bypass/bleeder stack that was not vented through a bypass/bleeder stack flare system.

40CFR 63-L.311 (f)
This regulation requires the maintenance of permanent files suitable for inspection at an onsite location. It also details the information that is required to be kept.

40CFR 63-L.311 (g)
This regulation requires the permittee to make records maintained pursuant to 40 CFR 63 Subpart L available to the coke oven battery employees' authorized collective bargaining representative.

40CFR 63-L.312
This regulation requires the permittee to comply with all applicable State implementation plan emissions limits and, subject to expiration dates, all federally enforceable emission limitations which are contained in an order, decree, permit, or settlement agreement for the control of emissions from offtake systems, topside port lids, coke oven doors, and charging operations in effect on September 15, 1992, or which have been modified in accordance with the provisions contained within the regulation.

6NYCRR 201-6.5 (c) (3) (ii)
This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6NYCRR 212 .3 (a)
This rule requires compliance with the degree of control specified in Tables 2, 3 and 4 for existing (on or before July 1, 1973) process emission sources.

6NYCRR 212 .6 (a)
This rule specifies an opacity limitation of less than 20% for any six consecutive minute period for all process emission sources.

6NYCRR 212 .9 (a)
This regulation defines the degree of air cleaning required for a particular emission source based on it's environmental rating and emission rate potential. Tonawanda Coke was required by this regulation to perform a Best Available Control Technology (BACT) analysis which concluded that no control was technically or economically feasible for this source.

6NYCRR 214 .10 (b)
This regulation limits the discharge of coke oven emissions from a single battery to no more than 100 seconds of visible emissions per five consecutive charges. It contains methods for observing and timing visible emissions, and for determining compliance. The regulation limits the number of coke oven doors including pusher side, coke side, and chuck doors which may emit visible emissions to less than 10

percent on any single battery measured in accordance with a prescribed procedure. The regulation limits leaks from offtake piping to no more than 10 percent on a single battery as measured in accordance with a prescribed procedure.

6NYCRR 214 .3
This regulation contains a coal charging limit. Tonawanda Coke, however, accepted a more stringent limit under consent order 81-26 as part of an alternate emission reduction plan allowed under 6 NYCRR Part 214.10(b). The enforceable limit is contained within a permit condition for 6 NYCRR Part 214.10(b).

6NYCRR 214 .4
This regulation requires installation of a coke pushing and transport to quench tower emission control system. Tonawanda Coke, however, was granted an alternate emission reduction plan under consent order 81-26 as allowed under 6 NYCRR Part 214.10(b). The plan placed more restrictive requirements on certain areas of the coke ovens in exchange for the requirement in this regulation. The more restrictive requirements are contained within a permit condition for 6 NYCRR Part 214.10(b).

6NYCRR 214 .5
This regulation requires that a wet quench tower of a coke oven battery be equipped with a baffle system designed to effectively reduce particulate emissions during quenching. It also sets standards for the total dissolved solids concentration of quench tower makeup water.

6NYCRR 214 .6
This regulation contains a particulate limit for emissions from waste heat stacks.

6NYCRR 214 .7
This regulation contains a leaking oven door limit. Tonawanda Coke, however, accepted a more stringent limit under consent order 81-26 as part of an alternate emission reduction plan allowed under 6 NYCRR Part 214.10(b). The enforceable limit is contained within a permit condition for 6 NYCRR Part 214.10(b).

6NYCRR 214 .7 (c)
This regulation details work practices that must be implemented by the byproduct coke oven battery operator for oven door maintenance.

6NYCRR 214 .7 (d)
This regulation requires the owner of a byproduct coke oven battery to submit a proposed work practice and maintenance plan with specific contents to the Department.

6NYCRR 214 .8 (a)
This regulation limits visible emissions from leaking topside port lids and sets methods for observing and standards for determining compliance.

6NYCRR 214 .8 (b)
This regulation contains a leaking offtake piping limit. Tonawanda Coke, however, accepted a more stringent limit under consent order 81-26 as part of an alternate emission reduction plan allowed under 6 NYCRR Part 214.10(b). The enforceable limit is contained within a permit condition for 6 NYCRR Part

214.10(b)

6NYCRR 214 .9 (a)

This regulation requires representative samples of coal charged to the coke ovens to be analyzed for sulfur content and sets a sulfur content limit of no greater than 1% by weight.

6NYCRR 214 .9 (b)

This regulation requires the permittee to submit a NOx Reasonably Available Control Technology (RACT) plan for coke oven batteries. Tonawanda Coke submitted a plan, which was approved by the Department, which showed that the only feasible NOx control technology was a total battery rebuild. Since the cost of the rebuild would be well beyond that required for RACT, no control is required.

6NYCRR 227-1.3 (a)

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

6NYCRR 227-2.4 (c) (1) (iii)

This regulation contains a compliance plan for a mid-size boiler. The plan must be followed by the permittee until the Department's enforcement action (for an alleged violation of the NOx RACT provisions of 6 NYCRR Part 227-2 for boiler #7 (emission source 00001) which was discovered during title V permit review) is completed.

6NYCRR 227-2.4 (d)

This rule specifies that the reasonably available control technology (RACT) requirement for small boilers (< or = 50 million BTUs/hr) at Title V facilities consists of an annual tune-up.

**Compliance Certification**

Summary of monitoring activities at TONAWANDA COKE CORP:

| Location Facility/EU/EP/Process/ES | Type of Monitoring | Cond No. |
|---|---|---|
| U-BPROD | intermittent emission testing | 44 |
| U-BPROD | record keeping/maintenance procedures | 45 |
| U-BPROD/-/A21 | intermittent emission testing | 52 |
| U-BPROD | record keeping/maintenance procedures | 51 |
| U-BPROD/-/A33/LOPMP | monitoring of process or control device parameters as surrogate | 62 |
| U-BPROD/-/A33/LOPMP | record keeping/maintenance procedures | 63 |
| U-BPROD/-/A33/LOVLV | monitoring of process or control device parameters as surrogate | 64 |
| U-BPROD/-/A33/LOFNG | monitoring of process or control device parameters as surrogate | 61 |
| U-BPROD/-/A33 | record keeping/maintenance procedures | 56 |
| U-BPROD/-/A33 | record keeping/maintenance procedures | 57 |
| U-BPROD/-/A33 | record keeping/maintenance procedures | 58 |
| U-BPROD/-/A33/LOVLV | record keeping/maintenance procedures | 65 |
| U-BPROD/-/A33 | record keeping/maintenance procedures | 59 |
| U-COKEB/-/A04/00005 | intermittent emission testing | 88 |
| U-COKEB/-/A04/00006 | intermittent emission testing | 92 |
| U-COKEB/-/A04/00007 | intermittent emission testing | 94 |

| | | |
|---|---|---|
| U-COKEB/-/A04/00004 | intermittent emission testing | 83 |
| U-COKEB/-/A04/00005 | intermittent emission testing | 89 |
| U-COKEB | intermittent emission testing | 72 |
| U-COKEB | record keeping/maintenance procedures | 73 |
| U-COKEB | record keeping/maintenance procedures | 76 |
| U-COKEB | record keeping/maintenance procedures | 77 |
| U-COKEB | record keeping/maintenance procedures | 78 |
| FACILITY | record keeping/maintenance procedures | 25 |
| FACILITY | record keeping/maintenance procedures | 24 |
| FACILITY | record keeping/maintenance procedures | 28 |
| U-LOSTG/LOSTG/A24/00024 | record keeping/maintenance procedures | 110 |
| U-COALM/-/A13/00013 | monitoring of process or control device parameters as surrogate | 66 |
| U-COKES/-/A12/00012 | monitoring of process or control device parameters as surrogate | 102 |
| U-ACBLD/ACBD1/A14/00014 | record keeping/maintenance procedures | 108 |
| U-ACBLD/ACBD2/A14/00014 | record keeping/maintenance procedures | 109 |
| U-COKEB/-/A04/00004 | monitoring of process or control device parameters as surrogate | 82 |
| U-COKEB/-/A04/00005 | monitoring of process or control device parameters as surrogate | 87 |
| U-COKEB/-/A04/00007 | monitoring of process or control device parameters as surrogate | 93 |
| U-COKEB/-/A04/00009 | monitoring of process or control device parameters as surrogate | 96 |
| U-COKEB/-/A04/00010 | monitoring of process or control device parameters as surrogate | 97 |
| U-COKEB/STAC2 | monitoring of process or control device parameters as surrogate | 98 |
| U-COKEB/STAC2 | monitoring of process or control device parameters as surrogate | 99 |
| U-COKEB/-/A04/00006 | monitoring of process or control device parameters as surrogate | 90 |
| U-COKEB/STAC2/A04/00011 | work practice involving specific operations | 101 |
| U-00001 | monitoring of process or control device parameters as surrogate | 35 |
| U-00001/-/A01/00002 | record keeping/maintenance procedures | 37 |
| U-00001/-/A01/00003 | record keeping/maintenance procedures | 38 |
| U-00001/-/A02/00002 | record keeping/maintenance procedures | 40 |
| U-00001/-/A02/00003 | record keeping/maintenance procedures | 41 |

**Basis for Monitoring**

Most of the monitoring requirements contained in this permit are based on specific monitoring methods and observations as prescribed in the applicable rules. Facility specific monitoring conditions (#66, 101, 102, 107, 108, & 109) were written to assure that reliable information is obtained representing the facility's compliance status for the following issues:

Opacity (conditions #66 & 102):

Visible emissions at Tonawanda Coke are restricted to 20% average opacity during any six consecutive minutes per 6 NYCRR Part 212.6(a). These conditions specifically require the facility operator to conduct visible emission observations of all emission points at least weekly. Based on operational limits imposed on the coke oven battery by other applicable rules, the chosen monitoring method and frequency are adequate and reasonable for determining compliance with the opacity standard.

Sulfur Content of Coal (condition #101):

Tonawanda Coke received a permit from the Department on December 4, 2000, that approved an alternate standard for the sulfur content of coke oven gas and allowed for the shut down of the actifier unit, which removed hydrogen sulfide from the coke oven gas that was subsequently vented directly to the atmosphere. This permit resulted in a decrease in the impacts of the facility on the surrounding area.

Restricting the sulfur content of the coal used at Tonawanda Coke to 1% by weight ensures compliance with the alternate standard.

Benzene Emissions (condition #109):
Tonawanda Coke has determined that the benzene emissions from the light oil storage tank (emission point LOSTG) are less than 1 pound per hour, which is the level above which 99% control or BACT is required for contaminants, such as benzene, with an environmental rating of "A" per 6 NYCRR Part 212.9 Table 2. Maintaining and using light oil throughput records to calculate the hourly benzene emissions on a quarterly basis is an acceptable method to reasonably assure compliance.

Ammonia Emissions (conditions #107 & 108):
These conditions reference a BACT analysis that was performed for emission unit U-ACBLD. The analysis concluded that no control was technically or economically feasible at this time for ammonia emissions generated by removing ammonia from excess process cooling water. A reevaluation of the BACT analysis is required once every five years to determine if the technical and economic infeasibility has changed. This is the normally required time frame for a BACT reevaluation.

NOx RACT (conditions #40 & 41):
An alleged violation of the NOx RACT provisions of 6 NYCRR Part 227-2 for boiler #7 (emission source 00001) was discovered during the permit review process. The Department is commencing a separate enforcement action outside of the requirements of this permit. A compliance plan has been developed and will be implemented as part of this permit.