

Facility DEC ID: 8262200202

**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 8-2622-00202/00001  
Mod 0 Effective Date: 06/22/2017 Expiration Date: 06/21/2022  
Mod 1 Effective Date: 06/24/2019 Expiration Date: 06/21/2022  
Mod 2 Effective Date: 09/16/2020 Expiration Date: 06/21/2022

Permit Issued To: AMERICAN PACKAGING CORP  
103 W BROAD ST  
STORY CITY, IA 50248

Contact: KEVIN NEIS  
AMERICAN PACKAGING CORP  
103 W BROAD ST  
STORY CITY, IA 50248  
(515) 733-1417

Facility: AMERICAN PACKAGING CORP  
100 Beaver Rd  
Churchville, NY 14428

Contact: KEVIN NEIS  
AMERICAN PACKAGING CORP  
103 W BROAD ST  
STORY CITY, IA 50248  
(515) 733-1417

Description:

The second Title V permit modification for the American Packaging Corporation flexographic packaging facility in the Town of Chili, NY. This minor modification adds a new extruder, laminator and flexographic printer with a second thermal oxidizer. Based on projected production needs, a Volatile Organic Compound (VOC) cap will continue to operated under a facility wide cap of 70 tons per year (tpy). The American Packaging facility will continue to be considered as a major source for VOC emissions and is subject to 6NYCCR Part 201-6 (Title V) regulations due to potential facility emissions of volatile organic compounds (VOC) of over 50 tpy. After the installation of the new extruder, laminator and flexographic printer, the APC facility will still be considered a minor source of HAPs, and will use a monitoring and record keeping system to verify the minor status.

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By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator:        ROBERT B CALL  
   6274 E AVON LIMA RD  
   AVON, NY 14414

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_

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**Notification of Other State Permittee Obligations**

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

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**Facility Level**

- 5 6 Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS

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**DEC GENERAL CONDITIONS**

\*\*\*\* General Provisions \*\*\*\*

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

**Item 3.3**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be

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submitted prior to actual transfer of ownership.

**Condition 1-1: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6 NYCRR 621.11**

**Item 1-1.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 1-1.2:**

The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

**Item 1-1.3**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
 NYSDEC Regional Permit Administrator  
 Region 8 Headquarters  
 Division of Environmental Permits

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6274 Avon-Lima Road  
Avon, NY 14414-9519  
(585) 226-2466

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**Permit Under the Environmental Conservation Law (ECL)**

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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103 W BROAD ST  
STORY CITY, IA 50248

Facility: AMERICAN PACKAGING CORP  
100 Beaver Rd  
Churchville, NY 14428

Authorized Activity By Standard Industrial Classification Code:  
2759 - COMMERCIAL PRINTING, NEC

Mod 0 Permit Effective Date: 06/22/2017

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Mod 1 Permit Effective Date: 06/24/2019

Permit Expiration Date: 06/21/2022

Mod 2 Permit Effective Date: 09/16/2020

Permit Expiration Date: 06/21/2022



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- 8 4 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
- 9 5 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
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- 18 19 40 CFR Part 68: Accidental release provisions.
- 18 20 40CFR 82, Subpart F: Recycling and Emissions Reduction
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- 19 22 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 19 1-1 6 NYCRR 211.2: Visible Emissions Limited
- 20 25 6 NYCRR 228-1.3 (c): Surface Coating- Prohibitions
- 20 2-3 6 NYCRR 228-1.3 (e) (2): Compliance Certification
- 21 2-4 6 NYCRR 228-1.6 (h): Compliance Certification
- 21 26 6 NYCRR 229.3 (e) (2) (v): VOL storage tanks less than 10000 gallons
- 21 27 6 NYCRR 231-5.2: Compliance Certification
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- 31 41 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
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- 35 2-7 6 NYCRR 212-1.6 (a): Compliance Certification
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- 42 2-10 6 NYCRR 228-1.6 (e): VOC content of gas stream test methods
- 43 2-11 6 NYCRR 228-1.6 (f) (1): Compliance Certification
- 44 2-12 6 NYCRR 228-2.4 (c): Compliance Certification
- 44 48 6 NYCRR 228-2.5 (c): Compliance Certification
- 45 49 6 NYCRR 231-5.4: Compliance Certification
- 46 50 6 NYCRR 234.4 (c): Compliance Certification
- 47 51 6 NYCRR 234.8: Compliance Certification

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- 48 2-13 6 NYCRR 228-2.4 (d): Compliance Certification
- 50 2-14 6 NYCRR 228-2.5 (b): Compliance Certification
- 50 2-15 6 NYCRR 228-2.6 (g): Compliance Procedures and Test Methods for Air Pollution Control Equipment

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- 51 2-16 6 NYCRR 234.3 (a) (1) (ii) ('e'): Compliance Certification

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- 54 68 ECL 19-0301: Contaminant List
- 54 69 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 55 2-17 6 NYCRR 201-6.5 (a): CLCPA Applicability
- 55 2-18 6 NYCRR 211.1: Air pollution prohibited

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**FEDERALLY ENFORCEABLE CONDITIONS**

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\*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

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

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 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 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 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 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 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

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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 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 201-6.4 (g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and 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

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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 201-6.4 (i)**

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

i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of 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 the 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 section 201- 6.6 of this Subpart.

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

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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.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.**

**Condition 1: Acceptable Ambient Air Quality  
Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 200.6**

**Item 1.1:**

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

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contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees****Effective between the dates of 06/22/2017 and 06/21/2022****Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)****Item 2.1:**

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 3: Recordkeeping and Reporting of Compliance Monitoring****Effective between the dates of 06/22/2017 and 06/21/2022****Applicable Federal Requirement:6 NYCRR 201-6.4 (c)****Item 3.1:**

The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii) The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

**Condition 4: Records of Monitoring, Sampling, and Measurement****Effective between the dates of 06/22/2017 and 06/21/2022****Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (2)****Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all

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reports required by the permit.

**Condition 5: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)**

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements,



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the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual

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report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2017.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as

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specified in any special permit terms or conditions;  
and  
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Stationary Source Compliance Section  
USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
NYSDEC Region 8 Headquarters  
6274 East Avon-Lima Road  
Avon, NY 14414-9519

The address for the BQA is as follows:

NYSDEC

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Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2018.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 7.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year

**Condition 2-1: Recordkeeping requirements**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 202-2.5**

**Item 2-1.1:**  
(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
  - (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.
- (b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 9: Open Fires - Prohibitions**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

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**Applicable Federal Requirement: 6 NYCRR 215.2****Item 9.1:**

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

**Item 9.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.**

**[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]**

**Condition 2-2: Maintenance of Equipment  
Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 2-2.1:**

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.

**Condition 10: Maintenance of Equipment  
Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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.

**Condition 11: Recycling and Salvage  
Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 11.1:**

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air  
Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 12.1:**

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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.

**Condition 13: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)**

**Item 13.1:**

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 201-3.3 (a)**

**Item 14.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 15: Requirement to Provide Information**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)**

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable 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. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: Right to Inspect**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)**

**Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

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- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart 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 emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Off Permit Changes**

Effective between the dates of 06/22/2017 and 06/21/2022

**Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)****Item 17.1:**

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 provision 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 as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

- (i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
- (ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

**Condition 18: Required Emissions Tests**

Effective between the dates of 06/22/2017 and 06/21/2022

**Applicable Federal Requirement:6 NYCRR 202-1.1****Item 18.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated



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time.

**Condition 19: Accidental release provisions.**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:40 CFR Part 68**

**Item 19.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
C/O CSC  
8400 Corporate Dr  
Carrollton, Md. 20785

**Condition 20: Recycling and Emissions Reduction**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 20.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 21: Emission Unit Definition**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 21.1(From Mod 2):**

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The facility is authorized to perform regulated processes under this permit for:

Emission Unit: A-00001

Emission Unit Description:

This unit consists three (3) flexographic printing lines, and two (2) adhesive laminators, one (1) coater, one (1) coater/extruder, corona treaters, associated dryers and 2 thermal oxidizers.

The printing presses, laminators, dryers, coater and corona treaters will all be inside permanent total enclosures (capture efficiency of 100%) that exhausts to one of two regenerative thermal oxidizers. The enclosure's static pressure will be set to -0.01 inches of water column and make up air fans will maintain this minimum negative pressure at all times.

Building(s): MAIN

**Condition 22: Progress Reports Due Semiannually**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)**

**Item 22.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. 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.

**Condition 1-1: Visible Emissions Limited**  
**Effective between the dates of 06/24/2019 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 1-1.1:**

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.

**Condition 25: Surface Coating- Prohibitions**

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Effective between the dates of 06/22/2017 and 06/21/2022

**Applicable Federal Requirement:6 NYCRR 228-1.3 (c)**

**Item 25.1:**

(1) No person shall sell, supply, offer for sale, solicit, use, specify, or require for use, the application of a coating on a part or product at a facility with a coating line described in Subpart 228-1.1(a) if such sale, specification, or use is prohibited by any of the provisions of this Subpart. The prohibition shall apply to all written or oral contracts under the terms of which any coating is to be applied to any part or product at an affected facility. This prohibition shall not apply to the following:

- (i) coatings utilized at surface coating lines where control equipment has been installed to meet the maximum permitted VOC content limitations specified in the tables of Subpart 228-1.4;
- (ii) coatings utilized at surface coating lines where a coating system is used which meets the requirements specified in Subpart 228-1.5(d); and
- (iii) coatings utilized at surface coating lines that have been granted variances pursuant to Subpart 228-1.5(e).

(2) Any person selling a coating for use in a coating line subject to Subpart 228-1 must, upon request, provide the user with certification of the VOC content of the coating supplied.

**Condition 2-3: Compliance Certification**

Effective between the dates of 09/16/2020 and 06/21/2022

**Applicable Federal Requirement:6 NYCRR 228-1.3 (e) (2)**

**Item 2-3.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 2-3.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

A facility containing a coating line (other than a class A coating line) may use up to 55 gallons of coatings (facility wide) on a 12-month rolling total basis which does not comply with the VOC content limits set forth in section 228-1.4 ; provided such use is recorded on an as used basis and maintained at the facility for a period of five years.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: COATING

Upper Permit Limit: 55 gallons per year

Monitoring Frequency: MONTHLY

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Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2021.  
Subsequent reports are due every 6 calendar month(s).

**Condition 2-4: Compliance Certification**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 228-1.6 (h)**

**Item 2-4.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 2-4.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any information or record showing noncompliance with the requirements of 228-1 'Surface Coating Processes' must be reported to the department within 30 days following notice or generation of the information or record. All records required by this condition must be maintained at the facility for a period of five years.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 26: VOL storage tanks less than 10000 gallons**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 229.3 (e) (2) (v)**

**Item 26.1:**

Volatile organic liquid tanks with a capacity of less than 10,000 gallons must be equipped with a conservation vent.

**Condition 27: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 231-5.2**

**Item 27.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC

**Item 27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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## Monitoring Description:

An applicant for a permit to construct for an air contamination source project subject to 6 NYCRR Part 231 must provide emission offsets as part of the application. Emission offsets are required for any air contaminant for which the area is designated as a nonattainment area if the net increase in annual actual emissions of that contaminant exceeds the 'de minimus' emission limit.

The applicable air contamination source project has potential VOC emissions of greater than the 'de minimus' emission limit of 50 TPY. The project is proposed in a nonattainment area for ozone, therefore emission offsets of volatile organic compounds are required. These may be from any location within the same or contiguous ozone nonattainment area in New York State.

Emission offsets must exceed the net increase in annual actual emissions from the air contamination source project by a ratio of 1.15 to 1.

Emission offsets must be real, permanent, and enforceable to the satisfaction of the commissioner.

American Packaging has accepted a VOC emission limit of 70 TPY, therefore requiring a minimum of 80.5 TPY in VOC Emission Reduction Credits. 88.3 TPY of VOC Emission Reduction Credits have been obtained, in accordance with 6 NYCRR Part 231, from the following facility:

Occidental Chemical Corporation  
DEC ID# 9-2912-00041

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-5: Compliance Certification**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 231-5.3**

**Item 2-5.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC

**Item 2-5.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: MONITORING OF PROCESS OR CONTROL  
 DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

American Packaging shall calculate and record emissions on a rolling 12-month basis to show that annual emissions of VOCs will not exceed 70 tons per year. Records of all facility VOC emissions will be used to prove that the annual emissions will not exceed 70 tons per year.

American Packaging will track the usage of inks, adhesives, lacquers, coatings and cold seal products on a daily basis to calculate actual monthly VOC emissions.

On a semi-annual basis, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed. This certification shall include a brief summary of the emissions subject to the limit for that time period.

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this 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.

Parameter Monitored: VOC

Upper Permit Limit: 70 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 29: Compliance Certification**

**Effective between the dates of 06/22/2017 and 06/21/2022**

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**Applicable Federal Requirement:6 NYCRR 231-5.3**

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

At least 60 days prior to the date the facility commences operation, the permittee must submit an application to the department if there are any proposed changes to the approved list of emission offset sources included in the permit for that facility. For each such change, the applicant must submit another use of emission reduction credits form signed by the applicant and an authorized representative of the new offset source.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-6: Compliance Certification  
Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 231-5.4**

**Item 2-6.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC

**Item 2-6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The emissions from any air contamination source project subject to 6 NYCRR Part 231 must meet the Lowest Achievable Emission Rate (LAER). LAER is defined as the most stringent emission limitation achieved in practice, or which can reasonably be expected to occur in practice for a category of emission sources taking into consideration each air contaminant which must be controlled. In no event shall the application of this term allow a proposed new source to emit any air contaminant in excess of the amount permitted under any applicable emission standard established under 6 NYCRR or 40 CFR.

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LAER for VOCs for printing presses, laminators, coaters and corona treaters has been determined to be 100% capture based on EPA Method 204 and the use of a regenerative thermal oxidizer with at least 98% VOC destruction removal efficiency.

The VOC LAER for the distillation unit for dirty solvent processing shall not exceed 1 TPY (12-month rolling total). Compliance with this limit shall be verified by monthly calculations based on the actual number of solvent batches multiplied by the corresponding AP-42 emission factors.

The VOC LAER for the anilox washing machine shall not exceed 0.25 TPY (12-month rolling total). Compliance with this limit shall be verified by monthly calculations based on the actual solution throughput multiplied by the VOC content of the respective solution(s)

The VOC LAER for the distillation unit for plate processing shall not exceed 0.3 TPY (12-month rolling total). Compliance with this limit shall be verified by monthly calculations based on the actual throughput in gallons multiplied by AP-42 emission factors.

The VOC LAER for the flexowash sleeve washer shall not exceed 0.5 TPY (12-month rolling total). Compliance with this limit shall be verified by monthly calculations based on the actual throughput in gallons multiplied by the solvent density in the solution, and credible VOC emission rates.

The VOC LAER for the flexowash plate washer shall not exceed 0.2 TPY (12-month rolling total). Compliance with this limit shall be verified by monthly calculations based on the actual throughput in gallons multiplied by the solvent density in the solution, and credible VOC emission rates.

The VOC LAER for the plate processor shall not exceed 4 TPY (12-month rolling total). Compliance with this limit shall be verified by monthly calculations based on the actual rate of plates per year multiplied by credible emission factors.

The VOC LAER for the three underground storage tanks shall not exceed 0.05 TPY (12-month rolling total). Compliance with this limit shall be verified based on the actual throughput and using the US EPA Tanks program.

The VOC LAER for the emergency Spark Ignition (SI) generator shall not exceed 0.1 TPY. Compliance with this



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limit shall be achieved by purchasing a SI engine that is certified to meet NSPS 4J emission standards, combusting only natural gas and by maintaining the emergency generator required by the manufacturer and NSPS 4J.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 33: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 234.4 (b)**

**Item 33.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a printing process subject to this Part must follow notification requirements and test procedures in Part 202-1 of this Title.

One of the following test methods from appendix A of 40 CFR 60 (see Table 1, 6 NYCRR Part 200.9) must be used to measure the VOC concentration of a gas stream at the inlet and outlet of the control equipment:

(i) Method 18, Measurement of Gaseous Organic Compound Emissions by Gas Chromatography;

(ii) Method 25, Determination of Total Gaseous Non-methane Organic Emissions as Carbon; or

(iii) Method 25A, Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.

(iv) Methods not listed above must be approved in advance by the Department and the United States Environmental Protection Agency.

Acceptable analytical methods for determining the VOC content, water content, density, volume of solids and

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weight of solids of surface coatings and printing inks are presented in appendix A, methods 24 and 24A (as appropriate), of 40 CFR 60 (see Table 1, 6 NYCRR Part 200.9). Alternate analytical methods for surface coating and printing ink analysis must be approved by the Department and the United States Environmental Protection Agency. Instead of analytical methods, the Department may accept the manufacturer's certification of VOC content of ink coating or adhesives, if supported by actual batch records.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2017.

Subsequent reports are due every 6 calendar month(s).

**Condition 34: Compliance Certification**

**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 234.5 (a)**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A person shall not sell, specify, or require the application of a coating, ink or adhesive on a substrate if such activity is prohibited by any of the provisions of this Part. The prohibition of this section shall apply to all written or oral contracts under the terms of which a coating, ink or adhesive is to be applied to a substrate. This prohibition shall not apply to the following:

(1) ink, coating, or adhesive used in printing processes where control equipment has been installed to demonstrate compliance with this Part; or

(2) ink, coating, or adhesive used in printing processes that have been granted variances for reasons of technological and economic feasibility per section 234.3(f) of 6 NYCRR Part 234 .

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2017.

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Subsequent reports are due every 6 calendar month(s).

**Condition 35: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 234.6**

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An owner or operator of a facility subject to this Part shall not:

- (a) Use open containers to store or dispose of cloth or paper impregnated with VOC or solvents that are used for surface preparation, cleanup or the removal of ink, coating or adhesive;
- (b) Use open containers to store or dispose of spent or fresh VOC or solvents used for surface preparation, cleanup or the removal of ink, coating or adhesive;
- (c) Use open containers to store, dispose or dispense ink, coating or adhesive unless production, sampling, maintenance or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purposes of applying an ink, coating or adhesive to a substrate.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2017.

Subsequent reports are due every 6 calendar month(s).

**Condition 36: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 234.7**

**Item 36.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 36.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Purchase, use, and production records of ink, coating, adhesive, VOCs, solvent, fountain solution and cleaning material must be maintained in a format acceptable to the department, and upon request, submitted to the department. Any other information required to determine compliance with this Part must be provided to the department in an acceptable format. Records must be maintained at the facility for five years.

The results of an analysis or other procedure used to establish compliance with this Part must be provided to the department. Department representatives shall be permitted, during reasonable business hours, to obtain ink, coating, adhesive, cleaning material and fountain solution samples to determine compliance with this Part.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2017.

Subsequent reports are due every 6 calendar month(s).

**Condition 1-2: Applicability**

**Effective between the dates of 06/24/2019 and 06/21/2022**

**Applicable Federal Requirement:40CFR 60, NSPS Subpart JJJJ**

**Replaces Condition(s) 37**

**Item 1-2.1:**

Facilities that have stationary spark ignition internal combustion engines must comply with applicable portions of 40 CFR 60 subpart JJJJ.

**Condition 38: Compliance Certification**

**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:40CFR 63.829(d), Subpart KK**

**Item 38.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each facility which commits to the criteria of 40CFR63.820(a)(2) for the purpose of

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capping his or her facility out of 40CFR63 Subpart KK shall maintain records of all required measurements and calculations needed to demonstrate compliance with these criteria.

These records shall be kept on a monthly basis, and shall include the mass of all HAP-containing materials used during the month, and the mass fraction of HAP present in each HAP-containing material used.

Monitoring Frequency: MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2017.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 1-3: Applicability**  
**Effective between the dates of 06/24/2019 and 06/21/2022**

**Applicable Federal Requirement:40CFR 63, Subpart ZZZZ**

**Replaces Condition(s) 39**

**Item 1-3.1:**  
 Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

**Condition 40: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:40 CFR Part 64**

**Item 40.1:**  
 The Compliance Certification activity will be performed for the Facility.

**Item 40.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

This facility is subject to the Compliance Assurance Monitoring Rule (CAM Rule). The owner or operator of this facility must submit a plan to the Department for its review and approval showing how they will comply with this rule. The plan must include the following:

- An indicator to be monitored to show compliance with the applicable emission limit or standard.
- The ranges or designated conditions for such indicators, or the process by which such indicators ranges or designed conditions will be established.
- the performance criteria for the monitoring stated

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above

- if applicable, the indicator ranges and performance criteria for a CEMS, COMS or PEMS (if used).

The owner or operator of this facility shall submit an annual report of the monitoring required above. The report shall include the following:

- summary of information on the number, duration and cause (including unknown cause) of excursions or exceedances, as applicable, and the corrective actions taken;
- summary information on the number, duration and cause (including unknown cause) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks if applicable); and
- a description of the actions taken to implement a Quality Improvement Plan (QIP) during the reporting period. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

American Packaging has submitted a CAM plan for review and approval to the DEC as part of the application for a permit. An updated CAM plan shall be submitted to the DEC for review and approval for the following situations:

- Permit renewal;
- If the design basis for any control device changes ;
- or
- Any new equipment is added to the facility that will trigger a major permit modification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2018.

Subsequent reports are due every 12 calendar month(s).

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 41: Emission Point Definition By Emission Unit  
Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 41.1(From Mod 2):**

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The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: A-00001

Emission Point: EP001  
 Height (ft.): 40 Diameter (in.): 64  
 NYTMN (km.): 4775.292 NYTME (km.): 276.576 Building: MAIN

Emission Point: EP002  
 Height (ft.): 35 Length (in.): 32 Width (in.): 32  
 NYTMN (km.): 4775.292 NYTME (km.): 276.576 Building: MAIN

Emission Point: EP003  
 Height (ft.): 35 Length (in.): 32 Width (in.): 32  
 NYTMN (km.): 4775.292 NYTME (km.): 276.576 Building: MAIN

Emission Point: EP004  
 Height (ft.): 35 Length (in.): 32 Width (in.): 32  
 NYTMN (km.): 4775.292 NYTME (km.): 276.576 Building: MAIN

Emission Point: EP005  
 Height (ft.): 35 Length (in.): 32 Width (in.): 32  
 NYTMN (km.): 4775.292 NYTME (km.): 276.576 Building: MAIN

Emission Point: EP006  
 Height (ft.): 40 Diameter (in.): 64  
 NYTMN (km.): 4775.292 NYTME (km.): 276.576 Building: MAIN

Emission Point: EP007  
 Height (ft.): 35 Length (in.): 32 Width (in.): 32  
 NYTMN (km.): 4775.292 NYTME (km.): 276.576 Building: MAIN

Emission Point: EP008  
 Height (ft.): 35 Length (in.): 32 Width (in.): 32  
 NYTMN (km.): 4775.292 NYTME (km.): 276.576 Building: MAIN

**Condition 42: Process Definition By Emission Unit**  
 Effective between the dates of 06/22/2017 and 06/21/2022

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 42.1(From Mod 2):**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: A-00001  
 Process: AL1 Source Classification Code: 4-02-007-01  
 Process Description:  
 Adhesive Laminator and drying processes that use solvent and water based adhesives. LAER applies, Permanent Total Enclosure and 98% minimum destruction efficiency from one of two regenerative thermal oxidizers. Emergency bypass stack EP004 will be used in the event of an emergency shut

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down.

Emission Source/Control: THOX1 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: THOX2 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: ALDP1 - Process

Emission Source/Control: ALP-2 - Process

Emission Source/Control: LDRY1 - Process  
Design Capacity: 2.2 million Btu per hour

**Item 42.2(From Mod 2):**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: A-00001  
Process: CT1 Source Classification Code: 4-02-045-31

Emission Source/Control: THOX1 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: THOX2 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: COAT1 - Process

**Item 42.3(From Mod 2):**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: A-00001  
Process: EX1 Source Classification Code: 4-02-013-01

Process Description:

Paper and plastic film are coated using solvent based extruder primers and melted/extruded polyethylene resins. LAER applies, Permanent Total Enclosure and 98% minimum destruction efficiency from one of two regenerative thermal oxidizers. Emergency bypass stack EP005 will be used in the event of an emergency shut down.

Emission Source/Control: THOX1 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: THOX2 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: SCEXT - Process

**Item 42.4(From Mod 2):**

This permit authorizes the following regulated processes for the cited Emission Unit:



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Emission Unit: A-00001  
Process: FXP Source Classification Code: 4-05-003-01

Emission Source/Control: THOX1 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: THOX2 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: FLX-1 - Process

Emission Source/Control: FLX-2 - Process

Emission Source/Control: FLX-3 - Process

**Item 42.5(From Mod 2):**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: A-00001  
Process: OZ1 Source Classification Code: 4-02-999-97

Process Description:  
Corona Treatment. Paper and film are treated with high voltage electricity in the ozone treaters. Treaters are located on printing, laminating, extrusion coating and coating lines.

Emission Source/Control: THOX1 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: THOX2 - Control  
Control Type: THERMAL OXIDATION

Emission Source/Control: CT-01 - Process

Emission Source/Control: CT-02 - Process

Emission Source/Control: CT-03 - Process

Emission Source/Control: CT-04 - Process

Emission Source/Control: CT-05 - Process

Emission Source/Control: CT-06 - Process

Emission Source/Control: CT-07 - Process

Emission Source/Control: CT-08 - Process

Emission Source/Control: CT-09 - Process

Emission Source/Control: CT-10 - Process

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**Condition 2-7: Compliance Certification**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 212-1.6 (a)**

**Item 2-7.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 2-7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies daily while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to

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revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY  
 Upper Permit Limit: 20 percent  
 Reference Test Method: METHOD 9  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2021.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 2-8: Compliance Certification**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 212-2.4 (b)**

**Item 2-8.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):  
 CAS No: 0NY075-00-0 PARTICULATES

**Item 2-8.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
 Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. The Department reserves the right to perform or require the performance of a Method 5 emissions evaluation at any time.

The permittee will conduct compliance verifications semi-annually. These verifications include review of pertinent information relating to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The permittee will confirm that during source operation all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure compliance with the particulate emission rate.

Additionally, the permittee will investigate, in a timely

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manner, any instance where there is cause to believe that particulate emissions above 0.050 gr/dscf are occurring or have occurred. These instances include but are not limited to process upsets, control device malfunctions or problems, abnormal visible emissions, complaints, etc. The permittee shall determine the cause of any exceedance, make the necessary correction, and verify that the excess emissions problem has been corrected.

Records of these verifications, investigations and corrective actions will be kept on-site and a summary will be included in the semi-annual monitoring reports. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.05 grains per dscf

Reference Test Method: METHOD 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 45: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 228-1.3 (a)**

**Item 45.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 45.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source,

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except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies daily while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: METHOD 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2017.

Subsequent reports are due every 6 calendar month(s).

**Condition 46: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 228-1.3 (b)**

**Item 46.1:**

The Compliance Certification activity will be performed for:

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Emission Unit: A-00001

**Item 46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(A) Except as provided for in paragraph (B) below, the owner or operator of an emission source subject to 6 NYCRR Part 228-1 must maintain the following records in a format acceptable to the department for a period of at least five years:

1. A certification from the coating supplier or manufacturer which lists the parameters used to determine the actual VOC content of each as applied coating used at the facility.
2. Purchase, usage and/or production records of each coating material, including solvents.
3. Records identifying each air cleaning device that has an overall removal efficiency of at least 90 percent.
4. Records verifying each parameter used to calculate the overall removal efficiency, as described in Equation 2 of Section 228-1.5(c), if applicable.
5. Any additional information required to determine compliance with Part 228-1.

(B) Owners and operators of emission sources not subject to 6NYCRR Part 228-1 as set forth in section 228-1.1(b)(9) or (13), or those sources that are using coatings not subject to specific requirements of 6NYCRR Part 228-1 as set forth in section 228-1.3(e)(2), or section 228-1.4(b)(5)(iii)(‘e’), (‘i’) or (‘iv’), must maintain records on an as used basis. The records must include the relevant regulatory citation of each exemption and quantity of coating used. If the exemption criteria are based on VOC usage, the records must contain calculations and supplier/manufacturer material data sheets for verification of VOC usage. All records required by this paragraph must be maintained at the facility for a period of five years.

(C) Upon request, the owner or operator of an emission source subject to 6 NYCRR Part 228-1 must submit a copy of the records kept in accordance with this condition to the department within 90 days of receipt of the request.

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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 90 days after the reporting period.

The initial report is due 9/28/2017.

Subsequent reports are due every 6 calendar month(s).

**Condition 47: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 228-1.3 (d)**

**Item 47.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Within the work area(s) associated with a coating line, the owner or operator of a facility subject to this Subpart must:

- (1) use closed, non-leaking containers to store or dispose of cloth or other absorbent applicators impregnated with VOC solvents that are used for surface preparation, cleanup or coating removal;
- (2) store in closed, non-leaking containers spent or fresh VOC solvents to be used for surface preparation, cleanup or coating removal;
- (3) not use VOC solvents to cleanup spray equipment unless equipment is used to collect the cleaning compounds and to minimize VOC evaporation;
- (4) not use open containers to store or dispense surface coatings and/or inks unless production, sampling, maintenance or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purpose of applying a coating material to a substrate. These devices may include, but are not limited to: spray guns, flow coaters, dip tanks, rollers, knife coaters, and extrusion coaters;
- (5) not use open containers to store or dispose of spent surface coatings, or spent VOC solvents;

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(6) minimize spills during the handling and transfer of coatings and VOC solvents; and

(7) clean hand held spray guns by one of the following:

(i) an enclosed spray gun cleaning system that is kept closed when not in use;

(ii) non-atomized discharge of VOC solvent into a paint waste container that is kept closed when not in use;

(iii) disassembling and cleaning of the spray gun in a vat that is kept closed when not in use; or

(iv) atomized spray into a paint waste container that is fitted with a device designed to capture atomized VOC solvent emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2017.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-9: Compliance Certification**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 228-1.5 (b)**

**Item 2-9.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):  
 CAS No: 0NY998-00-0 VOC

**Item 2-9.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

A VOC incinerator used as control equipment must be designed and operated to provide, at a minimum a 90 percent overall removal efficiency to show compliance with Part 228-1.

However, this source is equipped with LAER for VOC emissions. LAER for VOCs for this facility has has been



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determined to be 100% capture based on EPA Method 204 and the use of a regenerative thermal oxidizer with at least 98% VOC destruction removal efficiency.

Test methods acceptable to the department must be used to determine the overall removal efficiency during a required performance test. The approved VOC CE test methods are contained in 6NYCRR Part 228-1.6(d). Test methods 204 through 204F (M204 - M204F) are included in appendix M of 40 CFR part 51 (see table 1, section 200.9 of this Title).

The approved test methods for determining the efficiency of the control equipment are:

- (1) method 18, Measurement of Gaseous Organic Compound Emissions by Gas Chromatography;
- (2) method 25, Determination of Total Gaseous Organic Emissions as Carbon; or
- (3) method 25A, Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.

Each incinerator will be tested once per permit term and upon request by the regulatory agency if necessary.

- 1) Incinerator THOX1 was tested on 09/18/2018 and showed compliance.
- 2) Incinerator THOX2 will be tested within 180 days of startup.

Lower Permit Limit: 98 percent reduction by weight

Reference Test Method: Method TBD

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-10: VOC content of gas stream test methods**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 228-1.6 (e)**

**Item 2-10.1:**

This Condition applies to Emission Unit: A-00001

**Item 2-10.2:**

The owner and/or operator of a surface coating line must follow the applicable notification requirements, protocol requirements, and test procedures of 6 NYCRR Part 202 for testing and monitoring. Depending on the conditions at the test site, one of the following methods from Appendix A of 40 CFR Part 60 (see Table 1 of 6 NYCRR Part 200.9) must be used when measuring the VOC content of a gas stream at the inlet and outlet of a control device to determine the destruction and/or removal efficiency:

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- (1) Method 18, Measurement of Gaseous Organic Compound Emissions by Gas Chromatography;
- (2) Method 25, Determination of Total Gaseous Organic Emissions as Carbon; or
- (3) Method 25A, Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.

When the sampling and analysis methods required by this condition are not applicable, alternate sampling and analysis methods can be used, subject to the approval of the department.

**Condition 2-11: Compliance Certification**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 228-1.6 (f) (1)**

**Item 2-11.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):  
 CAS No: 0NY998-00-0    VOC

**Item 2-11.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
 DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

If an incinerator is used as an air cleaning device, a continuous monitor for exhaust gas temperature must be installed, periodically calibrated, and operated when the control equipment is operating. When temperatures fall below the approved performance test combustion temperature immediate action must be taken to restore control equipment to its proper operating temperature.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 25 degrees F below the approved  
 performance test combustion  
 temperature

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

Subsequent reports are due every 6 calendar month(s).

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**Condition 2-12: Compliance Certification**

**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 228-2.4 (c)**

**Item 2-12.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001

**Item 2-12.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A VOC incinerator used as control equipment must be designed and operated to provide, at a minimum a 85 percent overall removal efficiency to show compliance with Part 228-2.

However, this source is equipped with LAER for VOC emissions. LAER for VOCs for this facility has been determined to be 100% capture based on EPA Method 204 and the use of a regenerative thermal oxidizer with at least 98% VOC destruction removal efficiency. Compliance with the overall removal efficiency conditions elsewhere in this permit will be deemed compliance with the control requirements of Part 228-2.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 48: Compliance Certification**

**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 228-2.5 (c)**

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 48.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All records made to determine compliance with Subpart 228-2 shall be maintained for five years from the date such record is created and shall be made available to the Department within 90 days of a request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 90 days after the reporting period.

The initial report is due 9/28/2017.

Subsequent reports are due every 6 calendar month(s).

**Condition 49: Compliance Certification**

**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 231-5.4**

**Item 49.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001

**Item 49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility shall continuously monitor the static pressure of the permanent total enclosures used for the flexographic printing presses, laminators, dryers and corona treaters. The static pressure shall be maintained at or below -0.01 inches of water to ensure 100% capture efficiency of the permanent total enclosure.

The permittee will investigate, in a timely manner, any instance where the static pressure is above -0.01 inches of water. The permittee shall investigate the cause, make any necessary corrections, and verify that the pressure problem has been corrected.

Records of pressure monitoring, scheduled maintenance, investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the

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Department. A summary of these records will be included in the semi-annual compliance monitoring reports.

Parameter Monitored: PRESSURE CHANGE  
 Upper Permit Limit: -0.01 inches of water  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2017.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 50: Compliance Certification**  
**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 234.4 (e)**

**Item 50.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):  
 CAS No: 0NY998-00-0 VOC

**Item 50.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

Continuous control equipment monitors for the following parameters must be installed, periodically calibrated, and operated at all times that the associated control equipment is operated:

- (1) Combustion zone temperature of all oxidizers;  
and
- (2) Any other continuous monitoring or recording device required by the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2017.  
 Subsequent reports are due every 6 calendar month(s).

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**Condition 51: Compliance Certification**

Effective between the dates of 06/22/2017 and 06/21/2022

**Applicable Federal Requirement: 6 NYCRR 234.8****Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 10 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies daily while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner

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acceptable to the Department.

Parameter Monitored: OPACITY  
 Upper Permit Limit: 10 percent  
 Reference Test Method: METHOD 9  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2017.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 2-13: Compliance Certification**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 228-2.4 (d)**

**Item 2-13.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001  
 Process: AL1

Regulated Contaminant(s):  
 CAS No: 0NY998-00-0 VOC

**Item 2-13.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Work practices shall be employed at facilities where the total actual VOC emissions from all industrial adhesive application processes, including related cleaning activities, equal or exceed three tons in a 12-month rolling period, before consideration of emission control equipment. Work practices shall include:

- (1) the following types of application equipment, with the use of low-VOC adhesives or adhesive primers: electrostatic spray; HVLP spray; flow coat; roll coat or hand application, including non-spray application methods similar to hand or mechanically powered caulking gun, brush, or direct hand application; dip coat (including electrodeposition); airless spray; air-assisted airless spray; any other adhesive application method, subject to Department approval, capable of achieving a transfer efficiency equivalent to or better than that achieved by HVLP spraying;
- (2) the following work practices for storage, mixing

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operations, and handling operations for adhesives, thinners, and adhesive-related waste materials that:

(i) store all VOC-containing adhesives, adhesive primers, and process related waste materials in closed containers;

(ii) ensure that mixing and storage containers used for VOC-containing adhesives, adhesive primers, and process related waste materials are kept closed at all times except when depositing or removing these materials;

(iii) minimize spills of VOC-containing adhesives, adhesive primers, and process related waste materials; and

(iv) convey VOC-containing adhesives, adhesive primers, and process related waste materials from one location to another in closed containers or pipes.

(3) the following work practices to reduce VOC emissions from cleaning materials used in industrial adhesive application processes that:

(i) store all VOC-containing cleaning materials and used shop towels in closed containers;

(ii) ensure that storage containers used for VOC-containing materials are kept closed at all times except when depositing or removing these materials;

(iii) minimize spills of VOC-containing cleaning materials;

(iv) convey VOC-containing cleaning materials from one location to another in closed containers or pipes; and

(v) minimize VOC emission from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent and all spent solvent is captured in closed containers.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 1/30/2021.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 2-14: Compliance Certification**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement: 6 NYCRR 228-2.5 (b)**

**Item 2-14.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001  
 Process: AL1

Regulated Contaminant(s):  
 CAS No: 0NY998-00-0    VOC

**Item 2-14.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facilities that comply with the VOC content limits in 6 NYCRR Part 228-2.4(a) through the use of add-on air pollution control equipment shall record the key operating parameters for the control equipment, including but not limited to, the following information:

- (1) the volume used per day of each adhesive, sealant, adhesive primer, sealant primer or solvent listed in Table 1 of 6 NYCRR Part 228-2.4(a);
- (2) on a daily basis, the combustion temperature, inlet and exhaust gas temperatures and control device efficiency, as appropriate, pursuant to 6 NYCRR Part 228-2.4(c);
- (3) daily hours of operation; and
- (4) all maintenance performed including the date and type of maintenance.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-15: Compliance Procedures and Test Methods for Air Pollution Control Equipment**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

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**Applicable Federal Requirement:6 NYCRR 228-2.6 (g)**

**Item 2-15.1:**

This Condition applies to Emission Unit: A-00001  
Process: AL1

**Item 2-15.2:**

If a Facility uses air pollution control equipment to meet the requirements of 6 NYCRR Part 228-2, the following determinations shall be made:

(1) the measurement of capture efficiency shall be conducted and reported in accordance with the EPA Technical Document Guidelines for Determining Capture Efficiency, issued January 9, 1995; and

(2) the control efficiency shall be determined in accordance with U.S. EPA Reference Methods 25, 25A, and 25B found at 40 CFR part 60 appendix A, and CARB Method 100.

**Condition 2-16: Compliance Certification**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable Federal Requirement:6 NYCRR 234.3 (a) (1) (ii) ('e')**

**Item 2-16.1:**

The Compliance Certification activity will be performed for:

Emission Unit: A-00001  
Process: FXP

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC

**Item 2-16.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

A printing process controlled by an add-on capture system and control equipment must be designed and operated to provide, at a minimum a 80 percent overall removal efficiency to show compliance with Part 234. However, this source is equipped with LAER for VOC emissions.

LAER for VOCs for this facility has has been determined to be 100% capture based on EPA Method 204 and the use of a regenerative thermal oxidizer with at least 98% VOC destruction removal efficiency. Demonstration of compliance with LAER conditions elsewhere in this permit

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will satisfy the requirements of 228-1.5(b).

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 25 degrees F below the approved  
performance test combustion  
temperature

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2021.

Subsequent reports are due every 6 calendar month(s).

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**STATE ONLY ENFORCEABLE CONDITIONS****\*\*\*\* Facility Level \*\*\*\*****NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

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

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

(1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;

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

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

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

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

**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

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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.

#### STATE ONLY APPLICABLE REQUIREMENTS

**The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 68: Contaminant List**

**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable State Requirement: ECL 19-0301**

**Item 68.1:**

Emissions of the following contaminants are subject to contaminant specific requirements in this permit (emission limits, control requirements or compliance monitoring conditions).

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Name: PARTICULATES

CAS No: 0NY998-00-0  
Name: VOC

**Condition 69: Malfunctions and start-up/shutdown activities**

**Effective between the dates of 06/22/2017 and 06/21/2022**

**Applicable State Requirement: 6 NYCRR 201-1.4**

**Item 69.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such

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activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 2-17: CLCPA Applicability**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable State Requirement:6 NYCRR 201-6.5 (a)**

**Item 2-17.1:**

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

**Condition 2-18: Air pollution prohibited**  
**Effective between the dates of 09/16/2020 and 06/21/2022**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 2-18.1:**

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. Notwithstanding the existence of specific air quality standards or emission limits, this

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prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

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