

Facility DEC ID: 8542800006

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 8-5428-00006/00027  
Effective Date:

Expiration Date:

Permit Issued To: SILGAN CONTAINERS MANUFACTURING CORP  
21600 OXNARD ST STE 1600  
WOODLAND HILLS, CA 91367-3633

Contact: TIMOTHY R WHITE  
SILGAN CONTAINERS MANUFACTURING CORP  
1190 CORPORATE CENTER DR  
OCONOMOWOC, WI 53066  
(262) 569-5848

Facility: SILGAN CONTAINERS CORP - LYONS PLANT  
8673 LYONS MARENGO RD  
LYONS, NY 14489-9726

Contact: LUCAS BURNAP  
SILGAN CONTAINERS MFG CORP  
8693 LYONS MARENGO RD  
LYONS, NY 14489-9276  
(315) 946-4826

Description:

Renewal of Title V Facility Permit for metal and composite can production, originally issued February 27, 2001, and renewed on September 19, 2007, and renewed again on August 2, 2013.

Plant operations include metal surface coating, drying, and welding, and meet the Part 201 definition of a major stationary source requiring a Title V Facility Permit, due to potential VOC emissions of over 50 tons per year.

This renewed permit includes HAP capping conditions originally added to the Permit in the 2007 renewal. These specify thermal oxidizer control equipment operation and coating use record keeping, sufficient to demonstrate that HAP emissions are restricted to below the 25 ton per year total HAP and 10 ton per year individual HAP thresholds in 40 CFR 63 Subpart KKKK Maximum Achievable Control Technology (MACT) regulations for Surface Coating of Metal Cans. With this emissions cap, the Plant is not subject to Subpart KKKK MACT regulations.

Facility DEC ID: 8542800006

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: KIMBERLY A MERCHANT  
6274 E AVON LIMA RD  
AVON, NY 14414-9519

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

Facility DEC ID: 8542800006

### 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.

Facility DEC ID: 8542800006

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**DEC GENERAL CONDITIONS**

**General Provisions**

- 4 1 Facility Inspection by the Department
- 4 2 Relationship of this Permit to Other Department Orders and Determinations
- 4 3 Applications for permit renewals, modifications and transfers
- 5 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

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

Facility DEC ID: 8542800006

**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

Facility DEC ID: 8542800006

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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: SILGAN CONTAINERS MANUFACTURING CORP  
21600 OXNARD ST STE 1600  
WOODLAND HILLS, CA 91367-3633

Facility: SILGAN CONTAINERS CORP - LYONS PLANT  
8673 LYONS MARENGO RD  
LYONS, NY 14489-9726

Authorized Activity By Standard Industrial Classification Code:  
3411 - METAL CANS

Permit Effective Date:

Permit Expiration Date:

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 7 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 8 2 6 NYCRR 201-6.4 (a) (7): Fees
- 8 3 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
- 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
- 11 6 6 NYCRR 201-6.4 (e): Compliance Certification
- 13 7 6 NYCRR 202-2.1: Compliance Certification
- 13 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 13 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 15 10 6 NYCRR 200.7: Maintenance of Equipment
- 15 11 6 NYCRR 201-1.7: Recycling and Salvage
- 15 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 15 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 16 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 16 15 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
- 16 16 6 NYCRR 201-6.4 (a) (8): Right to Inspect
- 17 17 6 NYCRR 201-6.4 (f) (6): Off Permit Changes
- 17 18 6 NYCRR 202-1.1: Required Emissions Tests
- 17 19 40 CFR Part 68: Accidental release provisions.
- 18 20 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 18 21 6 NYCRR Subpart 201-6: Emission Unit Definition
- 19 22 6 NYCRR 201-6.4 (c) (3): Compliance Certification
- 20 23 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 20 24 6 NYCRR 201-6.4 (f): Compliance Certification
- 23 25 6 NYCRR 201-7.1: Facility Permissible Emissions
- 23 \*26 6 NYCRR 201-7.1: Capping Monitoring Condition
- 25 27 6 NYCRR 202-1.2: Notification
- 25 28 6 NYCRR 202-1.3 (a): Acceptable procedures
- 25 29 6 NYCRR 211.2: Visible Emissions Limited
- 25 30 6 NYCRR 228-1.3 (a): Compliance Certification
- 27 31 6 NYCRR 228-1.3 (b): Compliance Certification
- 28 32 6 NYCRR 228-1.3 (c): Surface Coating- Prohibitions
- 28 33 6 NYCRR 228-1.3 (d): Compliance Certification
- 30 34 6 NYCRR 228-1.3 (e) (2): Compliance Certification
- 30 35 6 NYCRR 228-1.4 (d) (2): Compliance Certification
- 31 36 6 NYCRR 228-1.6 (a): Compliance Certification
- 32 37 6 NYCRR 228-1.6 (c): Surface coating access for sampling
- 33 38 6 NYCRR 228-1.6 (h): Compliance Certification
- 33 **Emission Unit Level**
- 33 39 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 34 40 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=U-00014,Proc=008**



Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

36 41 6 NYCRR 228-1.5 (b): Compliance Certification

**EU=U-00014,Proc=008,ES=0000A**

37 42 6 NYCRR 200.7: Compliance Certification

37 43 6 NYCRR 228-1.6 (f) (2): Compliance Certification

38 44 6 NYCRR 228-1.6 (f) (4): Compliance Certification

**EU=U-00014,EP=0000A**

40 45 6 NYCRR 212-2.4 (b): Compliance Certification

42 46 6 NYCRR 228-1.3 (a): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

45 47 ECL 19-0301: Contaminant List

45 48 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities

46 49 6 NYCRR 201-6.5 (a): CLCPA Applicability

47 50 6 NYCRR 211.1: Air pollution prohibited

47 51 6 NYCRR 212-2.1 (a): Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 3/DRAFT

\*\*\*\* 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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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 for entire length of Permit****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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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

**Condition 2: Fees  
Effective for entire length of Permit**

**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 for entire length of Permit**

**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 for entire length of Permit**

**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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

reports required by the permit.

**Condition 5: Compliance Certification**  
**Effective for entire length of Permit**

**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,

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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



Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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

**Condition 6: Compliance Certification**  
**Effective for entire length of Permit**

**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 specified in any special permit terms or conditions;

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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 – Air Compliance Branch  
USEPA Region 2 DECA/ACB  
290 Broadway, 21st Floor  
New York, NY 10007

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  
Bureau of Quality Assurance  
625 Broadway

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2021.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective for entire length of Permit**

**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.

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

**Condition 8: Recordkeeping requirements**  
**Effective for entire length of Permit**

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

**Item 8.1:**

(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 for entire length of Permit**

**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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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.

**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**

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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 10: Maintenance of Equipment**  
**Effective for entire length of Permit**

**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 for entire length of Permit**

**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 for entire length of Permit**

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

**Item 12.1:**

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 for entire length of Permit**

**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**

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**Effective for entire length of Permit**

**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 for entire length of Permit**

**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 for entire length of Permit**

**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:

- (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**

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**Effective for entire length of Permit****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 for entire length of Permit****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 time.

**Condition 19: Accidental release provisions.  
Effective for entire length of Permit****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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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 for entire length of Permit**

**Applicable Federal Requirement: 40 CFR 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 for entire length of Permit**

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

**Item 21.1:**

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

Emission Unit: U-00012

Emission Unit Description:

Welded Can Line #1 - Three piece can side seam stripe.

Building(s): 001

**Item 21.2:**

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

Emission Unit: U-00014

Emission Unit Description:

Line 2 coating line consisting of sheet coater and drying oven with an integrated fume oxidizer (LTG Technologies).

Building(s): 001

**Item 21.3:**



Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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

Emission Unit: U-00022

Emission Unit Description:

Welded Can Line #2 - Three piece can side seam stripe.

Building(s): 001

**Item 21.4:**

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

Emission Unit: U-00032

Emission Unit Description:

Welded Can Line #3- Three piece can side seam stripe.

Building(s): 001

**Item 21.5:**

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

Emission Unit: U-00042

Emission Unit Description:

Welded Can Line #5 - Three piece can side seam stripe.

Building(s): 001

**Item 21.6:**

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

Emission Unit: U-00052

Emission Unit Description:

Welded Can Line #4 - Three piece can side seam stripe.

Building(s): 001

**Condition 22: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 22.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 22.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Electronic reporting according to procedures specified by the department shall include the following:

- (i) electronic submittal of reports of any required monitoring at least every 6 months; and
- (ii) notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

such deviations, and any corrective actions or preventive measures taken. If the permittee seeks to have a violation excused as provided in section 201-1.4 of this Part, the permittee shall report such violations as required under section 201-1.4(c) of this Part. 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. All other permit deviations shall only be reported as required under subparagraph (i) of this paragraph, unless the department specifies a different reporting requirement within the permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 23: Progress Reports Due Semiannually  
Effective for entire length of Permit**

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

**Item 23.1:**

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 24: Compliance Certification  
Effective for entire length of Permit**

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

**Item 24.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operational Flexibility Plan

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

## I. Protocol Objective

The objective of this condition is to maximize operational flexibility at the facility by building into the Title V permit the capability to make certain changes using a protocol. As provided under 6 NYCRR Part 201-6.4(f)(2), changes made under an approved protocol are not subject to the Title V permit modification provisions under 6 NYCRR Part 201-6.6.

## II. Protocol

### A. Criteria

1. Changes reviewed under this protocol shall be evaluated in accordance with the following criteria:

a. All underlying federal and state requirements with which the new or changed emission source must comply must exist in the Title V permit. Existing permit conditions may be amended to reference or include the new or changed emission source and any related information, and/or subject to DEC approval, new conditions proposed, to provide the appropriate monitoring parameters.

b. Any new or changed emission source shall not be part of a source project that results in a significant net emissions increase that exceeds the New Source Review (NSR) thresholds identified in 6 NYCRR Part 231.

c. The facility shall not use the protocol to make physical changes or changes in the method of operation of existing emissions sources that would require a new or modified federally enforceable cap either to avoid major NSR requirements or to address and comply with other Clean Air Act requirements, such as RACT. Such changes must be addressed via the significant permit modification provisions.

### B. Notification Requirements for Changes Reviewed under the Protocol

1. The facility shall notify the Department in writing of the proposed change.

2. Notifications made in accordance with this protocol will include the following documentation:

a. Identification of the Title V permit emission unit, process(es), emission sources and emission points affected

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

by the proposed change with applicable revisions to the Emission Unit structure;

b. Description of the proposed change, including operating parameters;

c. Identification and description of emissions control technology;

d. Documentation of the project's, or emission source's, compliance with respect to all state and/or federally applicable requirements, including the following steps:

i. Calculate the emission rate potential and maximum projected actual annual emission rates for all contaminants affected by the change.

ii. Submit documentation of major NSR program non-applicability for NYSDEC review and approval.

iii. Identify and evaluate the applicability of all regulations likely to be triggered by the new or changed emission source.

iv. Propose any operating and record keeping procedures necessary to ensure compliance.

e. Any other relevant information used for the evaluation of the proposed project or emission source under the Protocol.

C. Review and Approval of Changes

1. The Department shall respond to the permittee in writing with a determination within 15 days of receipt of the notification of the permittee.

2. The Department may require a permit modification, in order to impose new applicable requirements or additional permit conditions if it determines that changes proposed pursuant to notification do not meet the criteria under II. A above or that the changes may have a significant air quality impact or be otherwise potentially significant under SEQRA (6 NYCRR Part 617).

3. The Department may require that the permittee not undertake the proposed change until it completes a more detailed review of the proposed change, which may include potential air quality impacts and/or applicable requirements. The Department's determination shall

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

include a listing of information required for further review, if necessary.

**D. Additional Compliance Obligations for Changes Made Under this Protocol**

1. Upon commencement of the change, the facility shall comply with all applicable requirements and permit conditions, including any amended or proposed in accordance with II.A.1.a above.
2. The facility shall provide with the semi-annual monitoring report, a summary of the changes made in accordance with this protocol and a statement of the compliance status of each. Changes reported should include all those made during the corresponding period and any earlier changes that have not yet been incorporated into the permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 25: Facility Permissible Emissions  
 Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 25.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following  
 Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY100-00-0	PTE: 49,999 pounds per year
Name: TOTAL HAP	

**Condition 26: Capping Monitoring Condition  
 Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 26.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40 CFR Part 63, Subpart KKKK

**Item 26.2:**

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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

**Item 26.3:**

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.

**Item 26.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 26.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 26.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
 CAS No: 0NY100-00-0      TOTAL HAP

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Records of use of for all emission sources with the potential to emit HAP including metal sheet and side stream stripe coatings will be kept to demonstrate that, in conjunction with control device operation for metal sheet coating, HAP emissions will not exceed MACT applicability thresholds of 10 tons per year for any HAP and 25 tons per year for total combined HAPs. The content and format of the records and reports used to demonstrate compliance with this requirement will be in a form acceptable to the Commissioner.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 27: Notification**

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 202-1.2****Item 27.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 28: Acceptable procedures  
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 202-1.3 (a)****Item 28.1:**

Emission testing, sampling and analytical determinations to ascertain compliance with this Subchapter shall be conducted in accordance with test methods acceptable to the commissioner. The Reference Methods contained in part 60, appendix A and part 61, appendix B of title 40 of the Code of Federal Regulations and all future technical revisions, additions or corrections made thereto shall be considered as acceptable test methods for those sources and contaminants for which they are expressly applicable, except where the commissioner has issued a specific method to be used instead of a Reference Method contained in these Federal regulations or where the commissioner determines that one or more alternate methods are also acceptable. The person who owns or operates an air contamination source shall submit the emission test report in triplicate, to the commissioner within 60 days after the completion of tests. In the event such source owner/operator can demonstrate to the commissioner such time is not sufficient, he may request in writing and be granted an extension. Where an opacity emission standard is applicable to the source tested, the emission test report shall include the opacity observation.

**Condition 29: Visible Emissions Limited  
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 211.2****Item 29.1:**

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 30: Compliance Certification  
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 228-1.3 (a)****Item 30.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

Emission Unit: U-00012	Emission Point: 00012
Emission Unit: U-00022	Emission Point: 00022
Emission Unit: U-00032	Emission Point: 00032
Emission Unit: U-00042	Emission Point: 00042
Emission Unit: U-00052	Emission Point: 00052

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

**Item 30.2:**

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 emission source subject to Subpart 228. 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 semi-annually while the process is in operation. In addition to routine observations, 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



Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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

**Condition 31: Compliance Certification  
 Effective for entire length of Permit**

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

**Item 31.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any emission source subject to Subpart 228-1 must maintain and, upon request, provide the department with a certification from the coating supplier/manufacturer which lists the parameters used to determine the actual VOC content of each as applied coating used at the facility. In addition, purchase, usage and/or production records of the coating material, including solvents, must be maintained in a format acceptable to the department and, upon request, these records must be submitted to the department within 90 days of receiving the request. Any facility required to perform the overall removal efficiency calculation set forth in equation 2 of section 228-1.5(c) of this Subpart, must maintain records to verify the parameters used in the calculation. A facility owner or operator must maintain a record that identifies each air cleaning device that has an overall removal efficiency of at least 90 percent. Any additional information required to determine compliance with this Part must be provided to the department in a format acceptable to the department. All records required by this paragraph must be maintained at the facility for a period of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 32: Surface Coating- Prohibitions**  
**Effective for entire length of Permit**

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

**Item 32.1:**

(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 33: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 33.1:**

The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

Emission Unit: U-00012  
 Process: 005

Emission Unit: U-00014  
 Process: 008

Emission Unit: U-00022  
 Process: 00A

Emission Unit: U-00032  
 Process: 00B

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

Emission Unit: U-00042  
 Process: 00D

Emission Unit: U-00052  
 Process: 00E

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:

Handling, storage and disposal of volatile organic compounds.

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;
- (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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

- 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.

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

**Condition 34: Compliance Certification  
Effective for entire length of Permit**

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

**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:

The permittee of 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 of this Subpart; provided records are maintained on an as used basis. The records must include the quantity of coating used. 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.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 35: Compliance Certification  
Effective for entire length of Permit**

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**Applicable Federal Requirement: 6 NYCRR 228-1.4 (d) (2)**

**Item 35.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: U-00012  
Process: 005

Emission Unit: U-00022  
Process: 00A

Emission Unit: U-00032  
Process: 00B

Emission Unit: U-00042  
Process: 00D

Emission Unit: U-00052  
Process: 00E

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

**Item 35.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The permittee applying coatings to metal cans may not use coatings with VOC contents, as applied, which exceed the limits specified in table D-1. The units in table D-1 are in terms of pounds of VOC per gallon of coating (minus water and excluded compounds) at application. Three-piece can side-seam spray coating are limited to 5.5 Lb VOC/ gal coating.

Parameter Monitored: VOC CONTENT  
Upper Permit Limit: 5.5 pounds per gallon  
Monitoring Frequency: PER DELIVERY  
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 36: Compliance Certification  
Effective for entire length of Permit**

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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**Item 36.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00012

Process: 005

Emission Unit: U-00022

Process: 00A

Emission Unit: U-00032

Process: 00B

Emission Unit: U-00042

Process: 00D

Emission Unit: U-00052

Process: 00E

Regulated Contaminant(s):

CAS No: 0NY998-00-0      VOC

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator of any emission source subject to the VOC emission control requirements of Subpart 228-1 must, upon request by the department, use Method 311 or Method 24, included in Appendix A of both 40 CFR parts 63 and 60, respectively (see table 1, section 200.9 of this Title), to measure the volatile content, water content, density, volume of solids, and weight of solids in order to determine the actual VOC content of an as applied coating during a compliance demonstration. When the sampling and analysis methods are not applicable, alternate sampling and analysis methods can be used, subject to the approval of the department and the administrator.

Reference Test Method: Method 311 or Method 24

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 37:      Surface coating access for sampling  
Effective for entire length of Permit**

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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**Item 37.1:**

Representatives of the department must be permitted on the facility owner's property, during reasonable business hours, to obtain coating samples for the purpose of determining compliance with the requirements of 6 NYCRR Part 228-1.

**Condition 38: Compliance Certification  
Effective for entire length of Permit**

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

**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:

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

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

**Condition 39: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 39.1:**

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

Emission Unit: U-00012

Emission Point: 00012

Height (ft.): 39

Diameter (in.): 15

NYTMN (km.): 4768.6

NYTME (km.): 339.6

Building: 001

**Item 39.2:**

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

Emission Unit: U-00014

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

Emission Point: 0000A  
 Height (ft.): 31 Diameter (in.): 24  
 NYTMN (km.): 4768.6 NYTME (km.): 339.6 Building: 001

**Item 39.3:**

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

Emission Unit: U-00022  
  
 Emission Point: 00022  
 Height (ft.): 39 Diameter (in.): 15  
 NYTMN (km.): 4768.6 NYTME (km.): 339.6 Building: 001

**Item 39.4:**

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

Emission Unit: U-00032  
  
 Emission Point: 00032  
 Height (ft.): 39 Diameter (in.): 15  
 NYTMN (km.): 4768.6 NYTME (km.): 339.6 Building: 001

**Item 39.5:**

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

Emission Unit: U-00042  
  
 Emission Point: 00042  
 Height (ft.): 39 Diameter (in.): 9  
 NYTMN (km.): 4768.6 NYTME (km.): 339.6 Building: 001

**Item 39.6:**

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

Emission Unit: U-00052  
  
 Emission Point: 00052  
 Height (ft.): 39 Diameter (in.): 15  
 NYTMN (km.): 4768.6 NYTME (km.): 339.6 Building: 001

**Condition 40: Process Definition By Emission Unit  
 Effective for entire length of Permit**

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

**Item 40.1:**

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

Emission Unit: U-00012  
 Process: 005 Source Classification Code: 4-02-017-33  
 Process Description:



Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

Welded Can Line #1 - Three piece can side seam stripe.

Emission Source/Control: 00007 - Process

**Item 40.2:**

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

Emission Unit: U-00014

Process: 008

Source Classification Code: 4-02-017-31

Process Description:

Line 2 coating line consisting of sheet coater and drying oven with an integrated fume oxidizer (LTG Technologies). Maximum capacity is 7200 sheets coated per hour.

Emission Source/Control: 0000A - Control

Control Type: DIRECT FLAME AFTERBURNER WITH HEAT EXCHANGER

Emission Source/Control: 00009 - Process

**Item 40.3:**

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

Emission Unit: U-00022

Process: 00A

Source Classification Code: 4-02-017-33

Process Description:

Welded Can Line #2 - Three piece can side seam stripe.

Emission Source/Control: 0000E - Process

**Item 40.4:**

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

Emission Unit: U-00032

Process: 00B

Source Classification Code: 4-02-017-33

Process Description:

Welded Can Line #3- Three piece can side seam stripe.

Emission Source/Control: 00010 - Process

**Item 40.5:**

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

Emission Unit: U-00042

Process: 00D

Source Classification Code: 4-02-017-33

Process Description:

Welded Can Line #5 - Three piece can side seam stripe.

Emission Source/Control: 00012 - Process

**Item 40.6:**

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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

Emission Unit: U-00052  
 Process: 00E Source Classification Code: 4-02-017-33  
 Process Description:  
 Welded Can Line #4 - Three piece can side seam stripe.

Emission Source/Control: 00014 - Process

**Condition 41: Compliance Certification  
 Effective for entire length of Permit**

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

**Item 41.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00014  
 Process: 008

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

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

A VOC incinerator used as control equipment to comply with the provisions of Subpart 228-1 must be designed and operated to provide, at a minimum a 90 percent overall removal efficiency.

Test methods acceptable to the Department must be used to determine the overall removal efficiency during a required performance test, including both the efficiency of the capture system and the control equipment. The approved VOC CE test methods are contained in Part 228-1.6(d)(2). The approved test methods for determining the efficiency of the control equipment are listed in Part 228-1.6(e).

An approved test was completed on June 12, 2018. Once during the term of this permit Silgan will re-test the sheet coater, drying oven and oxidizer process to show continued compliance with the overall removal efficiency requirement of SubPart 228-1. This test should be scheduled such that the results, including monitoring parameters, can be incorporated into a complete Title V renewal application, due 6 months prior to expiration of this title V permit.

Lower Permit Limit: 90 percent degree of air cleaning or



Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

Emission Unit: U-00014

Process: 008

Emission Source: 0000A

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

CAS No: 0NY998-00-0 VOC

**Item 43.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Thermal oxidizer temperature will be continuously monitored and maintained at or above 1275 degrees Fahrenheit at all times while the sheet coater is operating. Any credible information provided by Silgan to change this parameter value, i.e. another stack test, can be incorporated into this permit by an operational flexibility application and subsequent approval.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1275 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: Minimum-not to fall below average  
parameter value determined by stack  
test

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 44: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 228-1.6 (f) (4)**

**Item 44.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00014

Process: 008

Emission Source: 0000A

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

CAS No: 0NY998-00-0 VOC

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

Pressure switches in the exhaust system ensure that the exhaust system is operating and capturing emissions to be destroyed by the thermal oxidizer. If the exhaust system pressure falls below the Open/Stop setpoint at any switch location, the coating process must be immediately shut down. The coating process will not be restarted until the pressure at all pressure switch locations is greater than the Closed/Run setpoint.

To demonstrate compliance with this condition, pressure switches must be operate continuously whenever the sheet coating process and/or thermal oxidizer are operating. The pressure switches must automatically trigger a process shutdown if the pressure falls below the associated shutdown pressure setpoint.

The minimum shutdown pressure (i.e., Open/Stop setpoint) for the pressure switches must be set at the following values, plus or minus 50%:

Pressure Pressure Setting Switch ID	Location	Shutdown  (inches of water)
P2	duct for zone 2	0.37
P7	duct for DVH wicket preheat	0.74
P6 0.31	incinerator	
P1.2	duct for zone 1.2	0.74
P1.1	duct for zone 1.1	0.45
P8 0.43	primary heat exchanger	

Pressure switches will be calibrated and adjusted at least annually. All mainenance work, calibration checks and adjustments to the pressure monitoring equipment will be recorded and the records will be kept on site for a mimimum of five years. Records will be provided to the Department on request.

Pressure switch shutdown setpoints must be reevaluated during the next thermal oxidizer destruction efficiency test, as required elsewhere in this permit. Any credible information provided by Silgan to change this parameter

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

value (i.e., approved stack test) may be incorporated into this permit by an operational flexibility application and subsequent approval.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 45: Compliance Certification  
Effective for entire length of Permit**

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

**Item 45.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00014

Emission Point: 0000A

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:

The control of particulate emissions released from new and modified process emission sources.

Emissions from any process emission source for which an application was received by the department after July 1, 1973 are restricted as follows:

No facility owner or operator shall cause or allow emissions of particulate that exceed 0.050 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis, except in instances where determination of permissible emission rate using process weight for a specific source category emitting solid particulate is based upon Table 5 and Table 6 of Subdivisions 212-2.5(a) and (b) of this Part.

The Department reserves the right to perform or require the performance of a Method 5 emissions evaluation at any time.

The facility owner or operator will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies weekly while the process is in operation. These verifications include review of pertinent information relating to particulate emissions of

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The facility owner or operator 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.

In addition to routine observations, the facility owner or operator will investigate, in a timely manner, any instance where there is cause to believe that the particulate emissions with the potential to exceed the standard of 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.

The facility owner or operator shall investigate the cause, make any necessary corrections, and verify that the potential excess emissions problem has been corrected. If emissions with the potential to exceed the standard continue, the facility owner or operator will notify the Department and conduct a Method 5 assessment within 90 days of the potential noncompliance to determine the emissions.

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: .05 grains per dscf

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 46: Compliance Certification**

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**Effective for entire length of Permit****Applicable Federal Requirement: 6 NYCRR 228-1.3 (a)****Item 46.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00014

Emission Point: 0000A

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 46.2:**

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 emission source subject to Subpart 228. 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 weekly while the process is in operation. In addition to routine observations, 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.



Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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.

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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

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 47: Contaminant List**  
**Effective for entire length of Permit**

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

**Item 47.1:**

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

CAS No: 000050-00-0  
Name: FORMALDEHYDE

CAS No: 000071-43-2  
Name: BENZENE

CAS No: 0NY075-00-0  
Name: PARTICULATES

CAS No: 0NY100-00-0  
Name: TOTAL HAP

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

**Condition 48: Malfunctions and start-up/shutdown activities**  
**Effective for entire length of Permit**

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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**Item 48.1:**

(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 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 49: CLCPA Applicability**  
**Effective for entire length of Permit**

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

**Item 49.1:**

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 50: Air pollution prohibited**

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 50.1:**

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 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.

**Condition 51: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 212-2.1 (a)**

**Item 51.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000050-00-0	FORMALDEHYDE
CAS No: 000071-43-2	BENZENE

**Item 51.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator shall limit the actual annual emissions of high toxicity air contaminants from all process operations at the facility so as to not exceed the mass emission limit listed for each individual HTAC on Table 2 of Part 212.

Any proposed increase in emissions of any high toxicity air contaminant emissions that would result in annual total emissions greater than or equal to the mass emission limit in on Table 2 of Part 212 shall require a permit modification prior to implementation of such increase.

The facility owner or operator shall verify actual emissions annually. Any parameters needed to calculate emissions include, but are not limited to engineering emission estimates, mass balances, process flows, production records, control equipment parameters, manufacturer’s or published emission factors, etc. Any significant change to these parameters or any method of operation which could conceivably increase the annual

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006

actual above the Table 2 mass emission limit may be considered a modification to the permit and may require a reevaluation to ensure continued compliance with Part 212.

Additionally, the facility owner or operator will investigate, in a timely manner, any instance where there is reason to believe that there is or has been an exceedence of an emission limit. In such cases, the facility owner or operator shall investigate the cause, make any necessary corrections, and notify the Department.

At all times, the facility owner or operator must operate and maintain all process emission sources, including the associated air pollution control and monitoring equipment, in a manner consistent with safe, good air pollution control practices, good engineering practices and manufacturers' recommendations for minimizing emissions.

Records of observations, investigations and corrective actions will be kept on-site. A summary of these records will be included in the semi-annual compliance monitoring report.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Permit ID: 8-5428-00006/00027

Facility DEC ID: 8542800006