

**Division of Air Resources
Permit Review Report**

Permit ID: 8-2622-00202/00001

Renewal Number: 1

07/18/2022

Facility Identification Data

Name: AMERICAN PACKAGING CORP

Address: 100 APC DR
CHURCHVILLE, NY 14428

Owner/Firm

Name: AMERICAN PACKAGING CORP

Address: 103 W BROAD ST
STORY CITY, IA 50248, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

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Division of Air Resources:

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Air Permitting Contact:

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Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

Renewal 1 of the Air Title V (ATV) Permit for the American Packaging Corp. facility located at 100 APC Drive, Churchville, NY 14428, which manufactures and prints various industrial and commercial packaging. Facility operations are included under one emission unit (A-00001). This renewal incorporates the proposed changes requested as part of a minor modification application submitted to the Department in

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September 2021. This modification was not issued prior to the renewal application being received and is therefore being processed as part of the renewal.

The minor modification is for the installation and operation of two (2) new extrusion coating lines with corona treaters and a third thermal oxidizer for emissions control. Additionally, the modification includes the installation of a sleeve washer which was included in the initial ATV permit but never constructed. The new extrusion coating lines, corona treaters, and thermal oxidizer are identical in operation to the existing sources and controls and are included under the existing single Emission Unit (A-00001). The Project Emission Potential (PEP) VOC emissions (i.e., PTE emissions) for this modification are less than the 40 tons per year Significant Project Threshold in 231-13 and therefore this project is not subject to New Source Review requirements under 6 NYCRR 231-6. Additionally, the facility will continue to comply with 70 tpy VOC limit established in the initial ATV permit and therefore the project will not result in an increase in PTE VOC emissions.

The proposed extrusion coating lines, and corona treaters will be contained within permanent total enclosure with 100% capture efficiency and exhaust to one of the thermal oxidizers with a destruction efficiency of 98%. This level of capture and control is consistent with the LAER determination established in the initial permit for the existing coating and printing sources. Additionally, these sources are subject to the same requirements as the same sources in existing process EX1 and OZ1.

The initial ATV permit included a sleeve washer that was subject to VOC LAER but was not constructed within the 18-month timeframe under 6 NYCRR 201-1.15. Therefore, the facility included the proposed new sleeve washer in the minor modification application. Although the sources included in the minor modification are not subject to NSR as noted above, because the proposed new sleeve washer is functionally identical to the originally permitted sleeve washer that was not constructed, to prevent circumvention the Department requested that the proposed sleeve washer re-evaluate and continue to meet LAER as part of this Renewal. This LAER determination has been approved by the Department as part of this renewal and an updated VOC LAER condition included for the sleeve washer. Consistent with the initial determination for the ancillary or permit-exempt sources, VOC LAER for the sleeve washer continues to be acceptance of a source-specific annual VOC emission limit.

The permit-exempt emergency generator is subject to 40 CFR 60, Subpart JJJJ NSPS for Industrial, Institutional and Commercial Stationary Internal Combustion Engines. The facility must comply with the applicable requirements of the 40 CFR 60, Subpart JJJJ

Relocation or removal of permit conditions have been made where necessary as part of this renewal to reflect the above changes. Prior permits erroneously contained Emission Source ALDP2 which corresponds to a source that does not exist. This source has been removed from the permit as part of this Renewal. Additionally, emission source/control IDs have been assigned for the existing and proposed permanent total enclosures. Miscellaneous changes to permit conditions have been made to reflect updated regulations or to improve clarity. Specific changes are noted in the Basis of Monitoring Section.

Attainment Status

AMERICAN PACKAGING CORP is located in the town of CHILI in the county of MONROE. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant

Attainment Status

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Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	TRANSPORT REGION (NON-ATTAINMENT)
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

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

Facility Description:

The American Packaging Corporation - Churchville facility prints, laminates, and provides coatings for a variety of packaging materials used in the food industry. The facility has pre-printing, printing, laminating, ink, recycling, staging and shipping areas, as well as offices, maintenance, and labs.

Permit Structure and Description of Operations

The Title V permit for AMERICAN PACKAGING CORP is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

AMERICAN PACKAGING CORP is defined by the following emission unit(s):

Emission unit A00001 - This unit consists three (3) flexographic printing lines, two (2) adhesive laminators, one (1) coater, three (3) coater/extruders, corona treaters, and associated dryers located within permanent total enclosures (capture efficiency of 100%). Emissions exhaust from the permanent total enclosures to one of three (3) regenerative thermal oxidizers.

This unit also includes the following ancillary and/or permit-exempt emission sources that were subject to

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VOC LAER during initial permitting: Spent solvent distillation unit, anilox washing machine, plate processing distillation unit, flexowash sleeve washer, plate processor, three (3) underground storage tanks, and emergency generator.

Emission unit A00001 is associated with the following emission points (EP):

EP001, EP002, EP003, EP004, EP005, EP006, EP007, EP008, EP009, EP010

Process: AL1 is located at Building MAIN - Adhesive Laminator and drying processes that use solvent and water based adhesives. This process is subject to LAER and VOC emissions must meet 100 percent (%) capture efficiency Permanent Total Enclosure and 98% destruction efficiency using a Permanent Total Enclosure and one of three regenerative thermal oxidizers, respectively. Emergency bypass stack EP004 will be used in the event of an emergency shut down.

Process: CT1 is located at Building MAIN - Coater 1 and drying process with solvent and water based coatings. VOC emissions are controlled using one of three regenerative thermal oxidizers. Emergency bypass stack EP008 may be used in the event of an emergency shutdown.

Process: EX1 is located at Building MAIN - Paper and plastic film are coated using solvent based extruder primers and melted/extruded polyethylene resins. VOC emissions from the process are controlled using a 100 percent (%) capture efficiency Permanent Total Enclosure and 98% minimum destruction efficiency from one of three regenerative thermal oxidizers. Emergency bypass stack EP005 will be used in the event of an emergency shut down.

Process: EX2 is located at Building MAIN - Paper and plastic film are coated using solvent based extruder primers and melted/extruded polyethylene resins. VOC emissions from the process are controlled using a 100 percent (%) capture efficiency Permanent Total Enclosure and 98% minimum destruction efficiency from one of three regenerative thermal oxidizers. Emergency bypass stack EP010 will be used in the event of an emergency shut down.

Process: EX3 is located at Building MAIN - Paper and plastic film are coated using solvent based extruder primers and melted/extruded polyethylene resins. VOC emissions from the process are controlled using a 100 percent (%) capture efficiency Permanent Total Enclosure and 98% minimum destruction efficiency from one of three regenerative thermal oxidizers. Emergency bypass stack EP010 will be used in the event of an emergency shut down.

Process: FXP is located at Building MAIN - Flexographic printing and drying using solvent and water based inks. This process is subject to LAER and VOC emissions must meet 100 percent (%) capture efficiency Permanent Total Enclosure and 98% destruction efficiency using a Permanent Total Enclosure and one of three regenerative thermal oxidizers, respectively. In the event of an emergency shut-down, printing lines FLX1, FLX2, and FLX3 may utilize emergency bypass stacks EP002, EP003, and EP007, respectively.

Process: OZ1 is located at Building MAIN - Corona Treatment. Paper and film are treated with high voltage electricity in the ozone treaters. Treaters are located on printing, laminating, extrusion coating and coating lines.

Title V/Major Source Status

AMERICAN PACKAGING CORP is subject to Title V requirements. This determination is based on the following information:

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The facility is a major source of air emissions due to potential-to-emit (PTE) emissions of volatile organic compounds (VOCs) greater than 50 tons per year. Therefore, the facility is required to obtain an Air Title V permit.

Program Applicability

The following chart summarizes the applicability of AMERICAN PACKAGING CORP with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	YES
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of

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the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH, 6 NYCRR 200.10) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

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

SIC Code

Description

2759

COMMERCIAL PRINTING, NEC

SCC Codes

SCC or Source Classification Code is a code developed and used by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code

Description

4-02-007-01

SURFACE COATING OPERATIONS

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4-02-013-01	SURFACE COATING APPLICATION - GENERAL Adhesive Application SURFACE COATING OPERATIONS
4-02-045-31	SURFACE COATING OPERATIONS - PAPER COATING Coating Operation SURFACE COATING OPERATIONS
4-02-999-97	SURFACE COATING OPERATIONS - FABRIC COATING, EXTRUSION COATING COATING APPLICATION: EXTRUDER
4-05-003-01	SURFACE COATING OPERATIONS SURFACE COATING OPERATIONS - MISCELLANEOUS Specify in Comments Field PRINTING/PUBLISHING PRINTING/PUBLISHING - GENERAL PRINTING - FLEXOGRAPHIC

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
000123-91-1	1,4-DIETHYLENE DIOXIDE		0.000765		
000091-57-6	2-METHYLNAPHTHALENE		6.42E-6		
000108-10-1	2-PENTANONE, 4-METHYL		0.0965		
000080-62-6	2-PROPENOIC ACID, 2-METHYL-, METHYL ESTER		0.0034		
000056-49-5	3-METHYLCHOLANTHRENE		4.82E-7		
000057-97-6	7,12-DIMETHYLBENZ [A]ANTHRACENE		4.28E-6		
000083-32-9	ACENAPHTHENE		4.82E-7		
000208-96-8	ACENAPHTHYLENE		4.827E-7		
000120-12-7	ANTHRACENE		6.42E-7		

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007440-38-2	ARSENIC	0.0000535
000071-43-2	BENZENE	0.000562
000106-46-7	BENZENE, 1,4-DICHLORO-	0.000321
000056-55-3	BENZO (A) ANTHRACENE	4.82E-7
000050-32-8	BENZO (A) PYRENE	3.21E-7
000205-99-2	BENZO [B] FLUORANTHENE	4.82E-7
000191-24-2	BENZO [G, H, I] PERYLENE	3.21E-7
000207-08-9	BENZO [K] FLUORANTHENE	4.827E-7
007440-41-7	BERYLLIUM	3.21E-6
007440-43-9	CADMIUM	0.000294
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS	32363
000630-08-0	CARBON MONOXIDE	23.04
007440-47-3	CHROMIUM	0.000375
000218-01-9	CHRYSENE	4.82E-7
007440-48-4	COBALT	0.0000225
000053-70-3	DIBENZ [A, H] ANTHRACENE	3.21E-7
000111-90-0	ETHANOL, 2-(2-ETHOXYETHOXY)	0.0155
000100-41-4	ETHYLBENZENE	0.122
000206-44-0	FLUORANTHENE	8.03E-7
000086-73-7	FLUORENE	7.49E-7
000050-00-0	FORMALDEHYDE	0.0324
000110-54-3	HEXANE	0.482
000193-39-5	INDENO [1, 2, 3-CD] PYRENE	4.82E-7
007439-96-5	MANGANESE	0.000102
007439-97-6	MERCURY	0.0000696
000067-56-1	METHYL ALCOHOL	0.0158
000101-68-8	METHYLENE BISPHENYL ISOCYANATE	0.00705
000091-20-3	NAPHTHALENE	4.54E-6
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	0.000562
0NY210-00-0	OXIDES OF NITROGEN	27.04
0NY075-00-0	PARTICULATES	14.37
000085-01-8	PHENANTHRENE	1.2E-7
0NY075-02-5	PM 2.5	14.37
0NY075-00-5	PM-10	14.37
000129-00-0	PYRENE	1.34E-6
007782-49-2	SELENIUM	6.42E-6
007446-09-5	SULFUR DIOXIDE	0.16
000108-88-3	TOLUENE	0.117
0NY100-00-0	TOTAL HAP	1.09
0NY998-00-0	VOC	140000
001330-20-7	XYLENE, M, O & P MIXT.	0.193

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NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

- 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 Part 201-6.2(a)(4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item D: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item G: Property Rights - 6 NYCRR 201-6.4(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item H: Severability - 6 NYCRR Part 201-6.4(a)(9)**
If any provisions, parts or conditions of this permit are found to be invalid or are the subject

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of a challenge, the remainder of this permit shall continue to be valid.

Item I: Permit Shield - 6 NYCRR Part 201-6.4(g)

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item J: Reopening for Cause - 6 NYCRR Part 201-6.4(i)

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

Item K: Permit Exclusion - ECL 19-0305

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

Item L: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
- (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions

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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_02

**Item B: General Provisions for State Enforceable Permit Terms and Condition - 6
NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
--			
FACILITY	ECL 19-0301	65	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-JJJJ	52	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
FACILITY	40CFR 63-ZZZZ	53	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 68	18	Chemical accident prevention provisions
FACILITY	40CFR 82-F	19	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient

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FACILITY	6NYCRR 200.7	10	air quality. Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	66	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	20, 54, 55	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201- 6.4 (c) (3) (ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	21	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f)	22	Operational Flexibility
FACILITY	6NYCRR 201-6.5	23	Special Provisions
FACILITY	6NYCRR 201-6.5 (a)	67	State Enforceable Requirements
FACILITY	6NYCRR 202-1.1	17	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.4 (a) (3)	24	Emission statement methods and procedures
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	68	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	25	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212-1.6 (a)	26	Limiting of Opacity
FACILITY	6NYCRR 212-2.3 (b)	27	State Air Program Non-Criteria air contaminants subject

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A-00001	6NYCRR 212-2.4 (b)	56	Table 4
			Control of
			Particulate from New
			and Modified Process
			Emission Sources
FACILITY	6NYCRR 215.2	9	Open Fires -
			Prohibitions
A-00001	6NYCRR 228-1.3 (b) (1)	57	General Requirements
			- Record Keeping
FACILITY	6NYCRR 228-1.3 (c)	28	Surface Coating
			General Requirements-
			Prohibitions
FACILITY	6NYCRR 228-1.3 (d)	29	Surface Coating
			General Requirements-
			Handling, storage and
			disposal
FACILITY	6NYCRR 228-1.3 (e) (2)	30	Use of 55 gallons of
			non-compliant coating
A-00001	6NYCRR 228-1.6 (a)	58	Surface coating VOC
			analysis.
A-00001	6NYCRR 228-1.6 (d)	59	Surface coating
			control equipment
			test methods
A-00001	6NYCRR 228-1.6 (e)	60	Surface coating
			control efficacy
			test methods
FACILITY	6NYCRR 228-1.6 (h)	31	Records reporting and
			maintaining
A-00001/-/AL1	6NYCRR 228-2.4 (d)	61	Work Practices
A-00001/-/AL1	6NYCRR 228-2.5 (b)	62	Maintaining records
			demonstrating
			compliance through
			the use of add-on air
			pollution control
			equipment.
A-00001/-/AL1	6NYCRR 228-2.5 (c)	63	Maintain Records for
			5 years
A-00001/-/AL1	6NYCRR 228-2.6 (g)	64	Compliance Procedures
			and Test Methods for
			Air Pollution Control
			Equipment
FACILITY	6NYCRR 229.3 (e) (2) (v)	32	Volatile organic
			liquid storage tanks
FACILITY	6NYCRR 231-5.2	33	Permit application
			content
FACILITY	6NYCRR 231-5.4	34, 35, 36, 37, 38,	Lowest achievable
		39, 40, 41, 42, 43,	emission rate (LAER)
		44, 45, 46	
FACILITY	6NYCRR 234.4 (b)	47	Testing and
			monitoring - test
			methods
FACILITY	6NYCRR 234.5 (a)	48	Prohibition of sale
			or specification
FACILITY	6NYCRR 234.6	49	Handling, storage and
			disposal of VOCs
FACILITY	6NYCRR 234.7	50	Recordkeeping
			requirements
FACILITY	6NYCRR 234.8	51	Opacity

Applicability Discussion:

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

ECL 19-0301

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This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

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

6 NYCRR 201-1.4

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

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

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6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

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

6 NYCRR 201-6.4 (c) (2)

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

6 NYCRR 201-6.4 (c) (3) (ii)

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

6 NYCRR 201-6.4 (d) (4)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

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6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2

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

6 NYCRR 215.2

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

40 CFR Part 68

This Part lists the regulated substances and their applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, AMERICAN PACKAGING CORP has been determined to be subject to the following regulations:

40 CFR Part 60, Subpart JJJJ

Subpart JJJJ applies to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in §60.4230, paragraphs (a)(1) through (6). Sources subject to Subpart JJJJ must comply with emission standards for nitrogen oxides, carbon monoxide, and volatile organic compounds.

40 CFR Part 63, Subpart ZZZZ

Subpart ZZZZ applies to reciprocating internal combustion engines. Sources subject to Subpart ZZZZ must limit emissions of carbon monoxide and formaldehyde. Sources must also comply with work practice standards and operating limits.

6 NYCRR 201-6.4 (f)

This section describes the potential for certain operational changes to be made by the facility owner or operator without first obtaining a permit modification. Changes made pursuant to this provision must

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meet all of the criteria described in this section to qualify for consideration as operational flexibility. The Department reserves the right to require the facility owner or operator to obtain a permit modification prior to making any changes at the facility pursuant to this section.

6 NYCRR 201-6.5

This section identifies state enforceable requirements for Air Title V permits.

6 NYCRR 201-6.5 (a)

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

6 NYCRR 202-2.4 (a) (3)

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

6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

6 NYCRR 212-1.6 (a)

This provisions requires that the facility owner or operator not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water.

6 NYCRR 212-2.3 (b)

Table 4 of 212-2.3 describes the reduction in emissions required for a non-criteria air contaminant based on its uncontrolled emission rate. The uncontrolled emission rate in conjunction with the assigned environmental rating determines the degree of controlled applied.

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6 NYCRR 212-2.4 (b)

Particulate emissions from any process emission source, which received a B or C Environmental Rating, and for which an application was received by the department after July 1, 1973 are restricted to 0.050 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

6 NYCRR 228-1.3 (b) (1)

This regulation requires the facility owner or operator to maintain a certification from the coating manufacturer that contains the information used to determine the as-applied volatile organic compound content of the coating. In addition, the facility owner or operator is required to maintain records of other information used to determine compliance with Part 228-1.

6 NYCRR 228-1.3 (c)

This citation prohibits anyone from facilitating in any way the use of a coating in violation of these regulations.

6 NYCRR 228-1.3 (d)

This citation directs the owners or operators of coating operations to minimize the emissions of volatile organic compounds to the atmosphere by properly handling, storing and disposing of coatings containing volatile organic compounds.

6 NYCRR 228-1.3 (e) (2)

This citation allows any facility to 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 required by the regulation.

6 NYCRR 228-1.6 (a)

This citation specifies the test methods to be used on samples of coatings collected during their application, to verify compliance with the VOC limit requirements of the regulation.

6 NYCRR 228-1.6 (d)

This section specifies the acceptable test methods for emissions tests conducted on control equipment operated at facilities subject to 6 NYCRR Subpart 228-1.

6 NYCRR 228-1.6 (e)

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This section contains the notification requirements for testing conducted pursuant to 6 NYCRR Subpart 228-1.

6 NYCRR 228-1.6 (h)

This citation requires the facility owner or operator to divulge any information or record showing noncompliance with the requirements of the regulation to the Department within 30 days and to maintain this information on the premises for a period of 5 years.

6 NYCRR 228-2.4 (d)

This regulation describes the work practices the owner or operator of a facility with total annual actual volatile organic compound emissions of three tons or more must follow to demonstrate compliance with Part 228-2.

6 NYCRR 228-2.5 (b)

This subdivision specifies the operating parameter monitoring and recordkeeping requirements for emissions sources that comply with this Subpart through the use of add-on air pollution control equipment.

6 NYCRR 228-2.5 (c)

This regulation requires that the facility owner or operator maintain all records kept pursuant to Part 228-2 for at least five years, and that such records be made available to the Department upon request.

6 NYCRR 228-2.6 (g)

This paragraph specifies the acceptable test methods for determining the efficacy of air pollution control equipment.

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

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

6 NYCRR 231-5.2

This section outlines what an applicant needs to provide the Department in the permit application.

6 NYCRR 231-5.4

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

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6 NYCRR 234.4 (b)

This regulation sets forth the testing methods and procedures to be used for facilities subject of the requirements of Part 234.

6 NYCRR 234.5 (a)

This regulation states that a person shall not sell, specify, or require the application of a coating, ink or adhesive on a substrate if such activity is prohibited by any of the provisions of this Part.

6 NYCRR 234.6

This regulation specifies the following:

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

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

6 NYCRR 234.7

This regulation sets forth the record keeping requirements for facilities subject of the requirements of Part 234.

6 NYCRR 234.8

This regulation requires that emissions from a unit subject to Part 234 shall not have an opacity greater than 10%.

Compliance Certification

Summary of monitoring activities at AMERICAN PACKAGING CORP:

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

FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	23	monitoring of process or control device parameters as surrogate
FACILITY	7	record keeping/maintenance procedures
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	27	record keeping/maintenance procedures
A-00001	56	intermittent emission testing
A-00001	57	record keeping/maintenance procedures
FACILITY	29	record keeping/maintenance procedures
FACILITY	30	work practice involving specific operations
A-00001	58	record keeping/maintenance procedures
FACILITY	31	record keeping/maintenance procedures
A-00001/-/AL1	61	record keeping/maintenance procedures
A-00001/-/AL1	62	record keeping/maintenance procedures
A-00001/-/AL1	63	record keeping/maintenance procedures
FACILITY	33	record keeping/maintenance procedures
FACILITY	34	intermittent emission testing
FACILITY	35	monitoring of process or control device parameters as surrogate
FACILITY	36	monitoring of process or control device parameters as surrogate
FACILITY	37	monitoring of process or control device parameters as surrogate
FACILITY	38	record keeping/maintenance procedures
FACILITY	39	monitoring of process or control device parameters as surrogate
FACILITY	40	intermittent emission testing
FACILITY	41	monitoring of process or control device parameters as surrogate
FACILITY	42	monitoring of process or control device parameters as surrogate
FACILITY	43	monitoring of process or control device parameters as surrogate
FACILITY	44	monitoring of process or control device parameters as surrogate
FACILITY	45	monitoring of process or control device parameters as surrogate
FACILITY	46	monitoring of process or control device parameters as surrogate
FACILITY	47	record keeping/maintenance procedures
FACILITY	48	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures
FACILITY	50	record keeping/maintenance procedures
FACILITY	51	monitoring of process or control device parameters as surrogate

Basis for Monitoring

6 NYCRR Part 201-6 Air Title V Permits

- 6 NYCRR 201-6.5 – As noted below, the 70 tpy facility-level VOC limit established in the initial permit (Ren 0) has been relocated under this citation as part of this renewal. Please note that although the facility has undergone multiple minor modifications to add additional VOC emission sources (and controls) the facility owner or operator continues to comply with this emissions limit.

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This monitoring condition requires monthly emissions monitoring, recordkeeping, and annual reporting for demonstrating compliance. Compliance with these caps are determined on a 12-month rolling basis using material usage, mass balance calculations, and testing data.

6 NYCRR Part 211 General Prohibitions

- 6 NYCRR 211.2 - This condition specifies the monitoring and recordkeeping to ensure compliance with the 20 percent opacity emissions limit. This monitoring condition ensures compliance with this limit through daily visual observations. The daily monitoring frequency for visual observations is justified because the rule does not specify a monitoring frequency and the condition requires performance of a Method 9 test if visible emissions are observed during two consecutive visual observations.

6 NYCRR Part 212 General Process Emission Sources

- 6 NYCRR 212-1.6 (a) - Monitoring of opacity. The facility is responsible to ensure that the emissions from any of their stacks do not exceed 20% opacity. Visual observations of the emissions will be conducted daily during typical operations for the associated emission source, process, etc. Any time excess emissions occur for an extended period of time, the facility will be required to perform a Method 9 assessment to determine if the opacity requirement is met. If opacity is not met the facility must perform corrective actions. Records shall be kept on site and reports are submitted to the department semi-annually.

A more stringent opacity limit for graphic arts operations (10%) applies to Process FXP which is specified in a condition under 6 NYCRR 234.8.

- 6 NYCRR 212-2.1(a) - Processes AL1, CT1, FXP, EX1, EX2, and EX3 emit the following High Toxicity Air Contaminants (HTACs) under 6 NYCRR 212-2.2 which have been assigned an Environmental Rating of A by the Department: 4,4'-Methylenediphenyl diisocyanate (MDI), Formaldehyde, and Acrylamide. Per the requirements of 6 NYCRR 212-2.1(a), process operations that emit HTACs must either meet the air cleaning requirements in 6 NYCRR 212-2.3(b) or comply with the Mass Emission Limit (MEL) under 6 NYCRR 212-2.2. Based on the emissions calculations provided with the renewal application, PTE emissions of these HTACs do not exceed their respective MELs. Therefore, the facility is in compliance with the requirements of Part 212 for these contaminants.

Since the facility has demonstrated PTE emissions of HTACs are below the MELs and need not limit actual operation to stay below these limits, no specific monitoring conditions are included for these contaminants under this citation. Compliance is assured through proper operation of controls and records of modeling results and supporting calculations specified elsewhere.

- 6 NYCRR 212-2.3(a) – The corona treaters are subject to the air cleaning requirements under 6 NYCRR Part 212-2.3(a) for emissions of ozone. The emission rate potential for ozone is greater than 20 lbs/hour but less than 100 lbs/hour. Ozone has been assigned an Environmental Rating of B by the Department and therefore must meet an air cleaning requirement of 91%. As discussed below, the corona treaters are enclosed in permanent total enclosures and controlled using Regenerative Thermal Oxidizers (RTOs) with a destruction efficiency of 98%. The facility therefore complies with the air cleaning requirements under Part 212 for ozone by meeting the more stringent control requirements

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under VOC LAER. Therefore, for permit streamlining no condition has been included under this citation.

Please note, that as indicated in Section V(C)(4) of DEC Program Policy DAR-1, at this time there is not an appropriate model to calculate ozone impacts from a single source.

- 6 NYCRR 212-2.3(b) – Per the exemptions in 6 NYCRR 212-1.4(l)(1) and (p), process operations subject to 6 NYCRR Subpart 228-1, Subpart 228-2 and Part 234 are not subject to the requirements of 6 NYCRR Part 212, except for particulates, or VOCs assigned an Environmental Rating of A by the Department. The coating and graphic arts processes under Processes AL1, CT1, FXP, EX1, EX2, and EX3 are subject to these regulations.

The facility owner or operator has confirmed the B-rating for non-high toxicity air contaminants (non-HTACs) from these processes (with the exception of those HTACs noted above) using an AERSCREEN analysis submitted as part of the renewal application. Therefore, these processes are not subject to the requirements of Part 212 for emissions of B-rated contaminants.

A recordkeeping condition is included requiring the facility owner or operator keep records of modeling (and supporting calculations.) Modeling will be reconducted upon permit renewal or modification.

- 6 NYCRR 212-2.4 (b) – This standard regulates particulates emissions from process sources that are not assigned an A-rating. As described above the facility does not emit any solid particulate HTACs and has confirmed the initial B-rating for non-HTACs using a screening model and therefore Processes AL1, CT1, FXP, EX1, EX2, and EX3 are subject to the particulate standard under this citation. To demonstrate compliance a monitoring condition is included requiring the facility 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 of 0.050 grains of particulate per cubic foot. Records shall be kept on site and reports are submitted to the department semi-annually. The Department may require performance testing upon request.
- 6 NYCRR 212-3.1 – Emission points EP001, EP003, and EP009 are tentatively subject to 6 NYCRR 212-3.1 VOC RACT due to emission rate potentials of VOCs greater than 3.0 lbs/hour and actual VOC emissions greater than 15 lbs/day. However, as noted above the VOC sources that emit to these points (Processes AL1, CT1, FXP, EX1, EX2, and EX3) are not subject to the requirements of Part 212, except for particulates, or VOCs assigned an Environmental Rating of A by the Department, since they meet the exemptions in 6 NYCRR 212-1.4(l)(1) and (p). Additionally, these processes/points are subject to a more stringent degree of control under 6 NCYRR 231-5.4 than specified by 6 NYCRR 212-3.1 (i.e., 81%).

6 NYCRR Part 228-1 Surface Coating Operations

- 6 NYCRR 228-1.3(a) – This citation specifies the opacity limit for surface coating operations. For permit streamlining no condition has been included under this citation since an equivalent limit is specified for the surface coating processes under 6 NYCRR 212-1.6(a).
- 6 NYCRR 228-1.5(b) – This requirement specifies the minimum overall VOC control efficiency required to comply with the requirements under 6 NYCRR Part 228-1 (i.e., 90%). For the Part 228-1 subject sources (Processes FLX, CT1, EX1, EX2, and EX3) the facility will meet the level of control specified in lieu of meeting the VOC content limits under 6 NYCRR 228-1.4. However, as noted elsewhere, these sources must meet a more stringent LAER limit of 100% capture and 98% control

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under 6 NYCRR 231-5.4. By complying with the LAER limit the facility complies with the Subpart 228-1 control requirement. Therefore, for permit streamlining, this citation has been excluded from the permit.

Please note that the LAER limit was included under this citation in prior permits but has been relocated to 6 NYCRR 231-5.4 as part of this renewal. Multiple monitoring conditions for the permanent total enclosures and RTOs are included under that citation to ensure on-going compliance with LAER requirements.

- 6 NYCRR 228-1.6(f) – The testing and continuous temperature monitoring specified under the LAER requirement also satisfies the control equipment monitoring specified under this paragraph. Therefore, no conditions are included under this citation. Please note that duplicate monitoring conditions requiring monitoring of thermal oxidizer temperature under this citation and 6 NYCRR 234.4(c) were included in prior permits. This requirement has been consolidated and moved to 6 NYCRR 231-5.4 as part of this Renewal.

6 NYCRR Part 228-2 Commercial and Industrial Adhesives

- 6 NYCRR 228-1.3(a) – This citation specifies the opacity limit for surface coating operations. For permit streamlining no condition has been included under this citation since an equivalent limit is specified for the surface coating processes under 6 NYCRR 212-1.6(a).
- 6 NYCRR 228-2.4(c) – This requirement specifies the minimum overall VOC control efficiency required to comply with the requirements under 6 NYCRR Part 228-2 (i.e., 85%). For the Part 228-2 subject sources (Process AL1) the facility will meet the level of control specified in lieu of meeting the VOC content limits under 6 NYCRR 228-2.4(a). However, as noted elsewhere, this process must meet a more stringent LAER limit of 100% capture and 98% control under 6 NYCRR 231-5.4. By complying with the LAER limit the facility complies with the Subpart 228-2 control requirement. Therefore, for permit streamlining, this citation has been excluded from the permit.

The testing and continuous temperature monitoring specified under the LAER requirement also satisfies the control equipment monitoring specified under this paragraph. Therefore, no conditions are included under this citation.

6 NYCRR Part 234 Graphic Arts Processes

- 6 NYCRR 234.3(a)(1)(ii)(e) - This requirement specifies the minimum overall VOC control efficiency required to comply with the requirements under 6 NYCRR Part 234 (i.e., 80%) for flexographic printing operations installed after March 1995. For the flexographic printing operations subject to Part 234 (Process FXP) the facility will meet the level of control specified in lieu of meeting the VOC content limits under 6 NYCRR 234.3(a)(1)(i). However, as noted elsewhere, this process must meet a more stringent LAER limit of 100% capture and 98% control under 6 NYCRR 231-5.4. By complying with the LAER limit the facility complies with the Subpart 234 control requirement. Therefore, for permit streamlining, this citation has been excluded from the permit.

Please note that the continuous temperature monitoring for the RTOs was included under this citation in prior permits but has been relocated to 6 NYCRR 231-5.4 as part of this renewal. Multiple monitoring conditions for the permanent total enclosures and RTOs are included under that citation to ensure on-going compliance with LAER requirements.

- 6 NYCRR 234.4(c) – The continuous monitoring specified under the LAER requirement also satisfies the control equipment monitoring specified under this section. Therefore, no conditions are included under this citation. Please note that duplicate monitoring conditions requiring monitoring of thermal oxidizer temperature under this citation and 6 NYCRR 228-1.6(f) were included in prior permits. This requirement has been consolidated and moved to 6 NYCRR 231-5.4 as part of this Renewal.

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- 6 NYCRR 234.8 – This citation specifies the opacity limit for graphic arts operations. No specific monitoring is specified in the regulation. Visual observations of the emissions will be conducted daily during typical operations for the associated emission source, process, etc. Any time excess emissions occur for an extended period of time, the facility will be required to perform a Method 9 assessment to determine if the opacity requirement is met. If opacity is not met the facility must perform corrective actions. Records shall be kept on site and reports are submitted to the department semi-annually.

6 NYCRR Part 231 New Source Review

- 6 NYCRR 231-5.3 - A condition was included in prior permits under this citation to limit facility VOC emissions below 70 tpy to reflect the PTE used to establish off-sets in accordance with NSR requirements under 6 NYCRR 231-5. Since this limit is not established to comply with LAER, this condition has been moved to 6 NYCRR 201-6.5 as part of this renewal.
- 6 NYCRR 231-5.3 – A monitoring condition was included in the prior permit requiring notification of any changes from the sources initially permitted and subject to NSR prior to the facility commencing operation. Since the facility has commenced operation and the timeframe for this notification has passed, this condition has been removed from the permit as part of this renewal.
- 6 NYCRR 231-5.4 – In accordance with NSR requirements, the facility was required to meet VOC LAER at the time of initial permitting (i.e., Ren 0).

Based on the VOC LAER determination made in ATV Ren 0, VOC LAER for the flexographic printing, adhesive lamination, and corona treatment processes was 100% capture efficiency using a permanent total enclosure and 98% VOC destruction efficiency using a Regenerative Thermal Oxidizer (RTO). This requirement applied to the following processes/sources:

- Process AL1
- Process FXP (formerly Processes FWS and FPW)
- Process OZ1, Sources CT-01 – CT-04

Following the initial permit, some sources or process may have been reorganized or renamed but are remain subject to the initial LAER determination. Multiple monitoring conditions requiring testing and continuous monitoring are included for these processes and controls to ensure proper operation of the controls and continuous compliance with LAER. Please note that the 98% destruction efficiency limit was included in a condition cited at 6 NYCRR 228-1.5(b) in prior permits but has been relocated to this citation as part of this Renewal.

The averaging period for the RTO temperature and enclosure static pressure continuous monitoring limits is a 3-hour block average. This averaging period is unchanged from prior permits but more explicitly identified in the condition. Additionally, a data recording period (at minimum once every 15-minutes) has been specified in the monitoring condition for the permanent total enclosure static pressure limit. The averaging and data collection periods are justified since, although not subject to these regulations, they are consistent the continuous monitoring required for similar coating process controls (i.e., RTOs and enclosures) under 40 CFR 63, Subparts EE, JJJJ, and KKKK.

VOC LAER for the ancillary and/or permit-exempt VOC sources was determined to be no add-on controls and acceptance of source-specific annual VOC emission limits. These limits were included in a single recordkeeping condition in prior permits. As part of this Renewal these limits have been separated into individual conditions (one each source/limit) to better identify the limit and on-going compliance requirements.

The initial ATV permit included a sleeve washer that was subject to VOC LAER that was not constructed within the 18-month timeframe under 6 NYCRR 201-1.15. Therefore, the facility included the proposed sleeve washer in the minor modification application as a new source. Note that the

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proposed sleeve washer is slightly different than the originally permitted equipment but does not require the addition of significant new requirements in the permit. Although the sources included in the minor modification are not subject to NSR as noted above, because the proposed new sleeve washer is functionally identical to the originally permitted sleeve washer that was not constructed, to prevent circumvention the Department requested that the proposed sleeve washer be re-evaluated for and continue to meet LAER as part of this Renewal. A LAER determination was submitted for the proposed sleeve washer on February 23, 2022. Consistent with the initial LAER determination for the sleeve washer and the other ancillary and/or permit-exempt VOC sources, VOC LAER is no add-on controls and acceptance of a source-specific annual VOC emission limit. This LAER determination has been approved by the Department as part of this renewal and an updated emission limit of 1.27 tpy has been included for the proposed sleeve washer.

Since the initial ATV permit, the facility has been granted multiple minor modifications to expand facility operations. These modifications were below the 40 tpy VOC Significant Project Threshold under 6 NYCRR 231-13 for modifications to major facilities and therefore not subject to NSR requirements. As noted above, the facility has continued to comply with the 70 tpy VOC emission limit established in the initial permit, therefore, the approved modifications have not resulted in an allowable increase to PTE VOC emissions.

However, although they are not subject to NSR, the facility owner or operator has committed to continuing to meet the level of control required by the VOC LAER determination above for the new sources/process added by these modifications. The following sources added as part of a prior modification or as part of this Renewal operate within a permanent total enclosure with a capture efficiency of 100% and exhaust to one of the RTOs with a destruction efficiency of 98%:

- Process CT1
- Process EX1
- Process EX2
- Process EX2
- Process AL1, ES ALP-2
- Process FXP, ES FLX-3
- Process OZ1, ES CT-05 – CT14

For permit streamlining the Processes/Sources above are included under the VOC LAER condition and associated monitoring conditions above. Note that some of these sources were added to an existing Process already subject to LAER.

- 6 NYCRR 231-6.1 – This renewal incorporates the proposed changes requested as part of a minor modification application submitted to the Department in September 2021. Based on the calculated project emission potential (PEP) for the new sources (i.e., PTE emissions), VOC emissions from this project will not exceed the 40 tpy Significant Project Threshold for VOCs for modifications to existing major facilities within the ozone transport region under 6 NYCRR 231-13. Therefore, the proposed modification is not a NSR major modification and is not subject to the requirements of this Subpart.

40 CFR 64, Compliance Assurance Monitoring

- 40 CFR Part 64 - Emission Unit A-00001 is:
 1. Required to meet 100% capture and 98% control of VOCs under 6 NYCRR 231-5.4 as discussed above;
 2. Uses control devices to capture and control VOC emissions in accordance with this limit; and,
 3. Has pre-control potential emissions of VOC greater than 50 tons per year.

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Therefore, the permanent total enclosures and RTOs under Emission Unit A-00001 are tentatively subject to CAM requirements for VOCs. However, per the definition under 40 CFR 64.1, a *Control Device* under CAM means equipment "...that is used to destroy or remove air pollutant(s) prior to discharge..." and "...does not include passive control measures...". Since the permanent total enclosures do not destroy or remove VOCs from the exhaust stream, they qualify as passive control measures and do not meet the definition of a control device under CAM. Therefore, the permanent total enclosures are not subject to CAM requirements.

Per 40 CFR 64.2(b)(1)(vi), emissions limitations or standards where continuous monitoring is required by the ATV permit are not subject to CAM. As discussed under 6 NYCRR 231-5.4 above, a monitoring condition is included for the RTOs requiring continuous monitoring of RTO temperature to ensure that the 98% VOC destruction efficiency requirement is met. This temperature limit/range is established for each RTO based on the initial stack test and will be reevaluated during subsequent testing (required once every five years.) Therefore, because a continuous compliance determination method is specified in the permit for the RTOs which is directly correlated with the destruction efficiency verified during testing, the RTOs are exempt from CAM per 40 CFR 64.2(b)(1)(vi).

Please note that although the permanent total enclosures are not subject CAM since they do not qualify as control devices under the rule, the ATV permit requires that the static pressure of the enclosure be monitored on a continuous basis to ensure that 100% capture efficiency is met at all times the process is operating.

Prior permits considered this emission unit subject to CAM and a revised CAM plan was submitted with the permit renewal application on December 17, 2021. Per the above, the CAM plan requirement and associated condition(s) have been removed from the permit as part of this renewal.

40 CFR 63, Subpart KK – Printing and Publishing Industry NESHAP

- 40 CFR 63, Subpart KK– Based on the emissions calculations submitted with the renewal application (and prior applications), PTE HAP emissions (speciated and total) are below Major Source Thresholds (assuming worst-case HAP mass fraction) and is therefore not subject to this Subpart as an area source of HAP emissions. Facility PTE emissions account for the use of Federally Enforceable controls (enclosures and RTOs) used to comply with VOC LAER requirements. Continued area source status is met through complying with the VOC LAER requirements and keeping records of submitted applications and supporting calculations.

Please note that prior permits contained a recordkeeping condition under 40 CFR 63.829(d) requiring records of monthly HAP containing material usage be kept to comply with the capping option under 40 CFR 63.820(a)(2). However, since facility PTE emissions demonstrate area source status and the facility is not required to limit HAP containing material usage under subparagraph 820(a)(2), this requirement does not apply and has been removed from the permit as part of this renewal.

40 CFR 63, Subpart JJJJ – Paper and Other Web Coating NESHAP

- 40 CFR 63.3280 – The facility is an area source of HAP emissions and therefore not subject to this Subpart.