

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022

Facility Identification Data

Name: ERWIN MANUFACTURING COMPLEX
Address: 792 ADDISON RD - S HAMILTON RD
PAINTED POST, NY 14870

Owner/Firm

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

Permit Contacts

Division of Environmental Permits:
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BIG FALTS PLANT 1 RIVERFRONT PLZ
CORNING, NY 14831
Phone:6079740246

**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

Application for renewal of Air Title V Facility, including modification for new emission unit U-00009 Accelerated Purification Technonlogy.

Attainment Status

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022

ERWIN MANUFACTURING COMPLEX is located in the town of ERWIN in the county of STEUBEN. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

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

- * 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 Erwin Manufacturing Complex manufactures ceramic filter substrates for the automotive industry.

Permit Structure and Description of Operations

The Title V permit for ERWIN MANUFACTURING COMPLEX 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.

ERWIN MANUFACTURING COMPLEX is defined by the following emission unit(s):

Emission unit U00002 - This emission unit addresses the Cook and Light Duty Diesel ceramic filter production operations.

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

Emission unit U00002 is associated with the following emission points (EP):
E0014, E0015, E0070, E1546, E1608, E1610, E1614, E2040
Process: MRK is located at Building 1B - Part Maker and Associated Cleaning

Process: OTH is located at Building 1A - This process involves ceramic filter production and finishing lines using a variety of ceramic raw material compositions. Emissions from this process equipment are not included in caps.

Emission unit U00005 - This emission unit includes the Technology Development Samples Organization (TDOS) operations, including R&D (exempt) and small scale pilot and production operations.

Emission unit U00005 is associated with the following emission points (EP):
E1650, E1651, E1652, E1653, E1654, E1655, E1656, E1657, E1658
Process: CS1 is located at Building 1A - This process includes the use of ceramic filter development equipment for production.

Process: CS2 is located at Building 1A - This process includes equipment used for R&D.

Emission unit U00006 - This emission unit includes miscellaneous stationary combustion sources.

Emission unit U00006 is associated with the following emission points (EP):
E6000, E6001, E6003, E6004, E6005, E6008, E6010
Process: DFP This process includes the exempt/trivial diesel fire pump engine.

Process: GEN This process includes the exempt/trivial natural gas and diesel fired emergency generators.

Emission unit U00008 - This emission unit consists of two oil storage tanks.

Emission unit U00008 is associated with the following emission points (EP):
E8000, E8001
Process: TNK This process includes two oil storage tanks.

Emission unit U00009 - This unit addresses the Accelerated Purification Technology (APT) production operations.

Emission unit U00009 is associated with the following emission points (EP):
E9000, E9001, E9002, E9003
Process: APT is located at Building 1B - APT manufacturing operations

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022

Emission unit U00001 - This unit addresses the Cook and Light Duty Diesel ceramic filter production operations.

Emission unit U00001 is associated with the following emission points (EP):
 E0001, E0002, E0003, E0006, E0007, E1530, E1541, E1545, E1547, E157A, E157B, E157C, E1593, E1613, E1616, E1618, E2010, E2011, E2012, E2020, E2021, E2022, E2030, E3000, E3001
 Process: CAP is located at Building 1A - Capped Equipment - Ceramic filter production lines using a variety of ceramic raw material compositions.

Title V/Major Source Status

ERWIN MANUFACTURING COMPLEX is subject to Title V requirements. This determination is based on the following information:
 Erwin Manufacturing Complex is considered a major source based on it's PTE for HAPs VOC, Particulates, and Carbon Monoxide.

Program Applicability

The following chart summarizes the applicability of ERWIN MANUFACTURING COMPLEX with regards to the principal air pollution regulatory programs:

| Regulatory Program | Applicability |
|--------------------------------|---------------|
| PSD | NO |
| NSR (non-attainment) | NO |
| 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) -

Division of Air Resources
Permit Review Report

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

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

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

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

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

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

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

Compliance Status

Facility is in compliance with all requirements.

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.

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022

| SIC Code | Description |
|-----------------|------------------------------|
| 3299 | NONMETALLIC MINERAL PRODUCTS |

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 |
|-----------------|--|
| 3-05-008-99 | MINERAL PRODUCTS MINERAL PRODUCTS - CERAMIC CLAY/TILE MANUFACTURE |
| 4-02-001-01 | Other Not Classified SURFACE COATING OPERATIONS SURFACE COATING APPLICATION - GENERAL Paint: Solvent-Base |
| 4-02-999-98 | SURFACE COATING OPERATIONS SURFACE COATING OPERATIONS - MISCELLANEOUS Specify in Comments Field |
| 4-90-999-98 | ORGANIC SOLVENT EVAPORATION MISCELLANEOUS VOLATILE ORGANIC COMPOUND EVAPORATION Identify the Process and Solvent in Comments |

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air 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 |
|----------------|----------------------|-------------------|--------------------|----------------------|-----------------------|
| 000630-08-0 | CARBON MONOXIDE | | 1053.1 | | 40.9 |
| 007647-01-0 | HYDROGEN CHLORIDE | 19800 | | | 1.2 |
| 007664-39-3 | HYDROGEN FLUORIDE | | 9.9 | | 0.9 |

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

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|-------------|--------------------|-------|---------|--------|------|
| 0NY210-00-0 | OXIDES OF NITROGEN | | 100000 | 26200 | |
| 0NY075-00-0 | PARTICULATES | | 100000 | 50600 | |
| 0NY075-02-5 | PM 2.5 | | 41.7 | | 25.1 |
| 0NY075-00-5 | PM-10 | | 100000 | 50200 | |
| 007446-09-5 | SULFUR DIOXIDE | | 13.5 | | 0.3 |
| 0NY100-00-0 | TOTAL HAP | 49800 | | 7000 | |
| 0NY998-00-0 | VOC | | 1000000 | 113600 | |

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

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item G: Property Rights - 6 NYCRR 201-6.4(a)(6)

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

Item H: Severability - 6 NYCRR Part 201-6.4(a)(9)

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

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

All permittees granted a Title V facility permit shall be covered under the protection of a 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

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

emissions standards or other terms or conditions of the permit.

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

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

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

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

Item 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

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

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_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 | 129 | Powers and Duties of the Department with respect to air pollution control |
| FACILITY | 40CFR 60-A | 46 | General provisions |
| FACILITY | 40CFR 60-IIII.4202 (b) | 47 | Standards of Performance for |

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

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|-----------------------------|--------------------------------|-----|---|
| | | | Stationary Compression Ignition Internal Combustion Engines Emission Standards - Stationary CI-IC Fire Pump Engines Displacing < 30 liters/cylinder |
| U- 00006/E6000/DFP/S6000 | 40CFR 60-IIII.4205 (c) | 122 | |
| FACILITY | 40CFR 60-IIII.4206 | 48 | Stationary Compression Ignition IC Engines - Duration of Emission Standards |
| FACILITY | 40CFR 60-IIII.4207 (b) | 49 | Stationary Compression Ignition IC Engines - Fuel Requirements beginning October 1, 2010 |
| FACILITY | 40CFR 60-IIII.4209 (a) | 50 | Monitoring requirement - Emergency stationary CI-IC engine |
| U- 00006/E6008/GEN/S6008 | 40CFR 60-IIII.4209 (b) | 124 | Monitoring requirement - Non- emergency stationary CI-IC engine |
| FACILITY | 40CFR 60-IIII.4211 (a) | 51 | Stationary Compression Ignition Engines - Compliance Requirements |
| U- 00006/E6000/DFP/S6000 | 40CFR 60-IIII.4211 (b) | 123 | Stationary Compression Ignition Engines - Compliance Demonstration |
| FACILITY | 40CFR 60-IIII.4211 (f) | 52 | Stationary Compression Ignition IC Engines - Emergency Engine Operation |
| FACILITY | 40CFR 60-IIII.4211 (g) | 53 | Changes to emissions related settings |
| FACILITY | 40CFR 60-IIII.4214 (b) | 54 | Notification, Recordkeeping Requirements - Emergency stationary CI-IC engines |
| FACILITY | 40CFR 60-IIII.4218 | 55 | Stationary Compression Ignition IC Engines - applicability of NSPS general provisions |
| U-00006/E6010 | 40CFR 60-JJJJ.4233 (e) | 125 | Emission limits for IC Engines > 100 HP |
| U-00006/E6010 | 40CFR 60- JJJJ.4243 (a) (1) | 126 | NSPS for Stationary Spark Ignition Internal Combustion Engines - Compliance Requirements |
| FACILITY | 40CFR 60- JJJJ.4243 (b) (1) | 56 | Compliance by purchasing a certified engine |
| FACILITY | 40CFR 60-JJJJ.4243 (d) | 57 | Stationary Spark Ignition IC Engines - Emergency Engine |

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

| | | | |
|-----------------------------|------------------------------|------------|---|
| FACILITY | 40CFR 60-JJJJ.4245 (a) | 58 | Operation Notification, reporting and recordkeeping requirements |
| FACILITY | 40CFR 60-JJJJ.4245 (b) | 59 | Spark Ignition Stationary Combustion Engines - Recordkeeping |
| FACILITY | 40CFR 60-000.672 (a) | 60, 61, 62 | Rock, gravel, sand, and clay processing and conveying - standard for particulate matter |
| U- 00001/E0002/CAP/C0002 | 40CFR 60-000.672 (a) | 102 | Rock, gravel, sand, and clay processing and conveying - standard for particulate matter |
| U- 00001/E1541/CAP/C0001 | 40CFR 60-000.672 (a) | 104 | Rock, gravel, sand, and clay processing and conveying - standard for particulate matter |
| U- 00001/E1547/CAP/C1547 | 40CFR 60-000.672 (a) | 106 | Rock, gravel, sand, and clay processing and conveying - standard for particulate matter |
| U- 00001/E1593/CAP/C1593 | 40CFR 60-000.672 (a) | 110 | Rock, gravel, sand, and clay processing and conveying - standard for particulate matter |
| U- 00002/E1546/OTH/C0009 | 40CFR 60-000.672 (a) | 114 | Rock, gravel, sand, and clay processing and conveying - standard for particulate matter |
| U- 00002/E1614/OTH/C1614 | 40CFR 60-000.672 (a) | 117 | Rock, gravel, sand, and clay processing and conveying - standard for particulate matter |
| FACILITY | 40CFR 60- 000.672 (e) (1) | 63 | Rock, gravel, sand, and clay processing and conveying - standard for particulate matter |
| FACILITY | 40CFR 60-000.673 | 64 | Rock, gravel, sand, and clay processing and conveying - reconstruction |
| FACILITY | 40CFR 60-000.674 (c) | 65 | Rock, gravel, sand and clay processing and conveying - monitoring of operations |
| FACILITY | 40CFR 60-000.674 (d) | 66 | Monitoring of Operations |
| FACILITY | 40CFR 60-000.675 | 67 | Rock, gravel, sand, and clay processing and conveying - test methods and procedures |

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

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|----------|--------------------------|--------|--|
| FACILITY | 40CFR 60-000.676 (a) | 68 | Rock, gravel, sand, and clay processing and conveying - reporting and recordkeeping |
| FACILITY | 40CFR 60-000.676 (b) (1) | 69 | Subpart 000 - Nonmetallic Mineral Processing Plants - Reporting requirements for wet suppression/baghouses |
| FACILITY | 40CFR 60-000.676 (b) (2) | 70 | Reporting and recordkeeping |
| FACILITY | 40CFR 60-000.676 (f) | 71 | Rock, gravel, sand, and clay processing and conveying - reporting and recordkeeping |
| FACILITY | 40CFR 60-000.676 (h) | 72 | Rock, gravel, sand, and clay processing and conveying - reporting and recordkeeping - Notification of initial startup |
| FACILITY | 40CFR 60-000.676 (i) | 73 | Rock, gravel, sand and clay processing and conveying - Notification of initial startup |
| FACILITY | 40CFR 60-000.676 (j) | 74 | Alternative means of reporting |
| FACILITY | 40CFR 63-ZZZZ.6590 (c) | 75 | Reciprocating Internal Combustion Engine (RICE) NESHAP - Stationary RICE subject to Regulations under 40 CFR Part 60 |
| FACILITY | 40CFR 63-ZZZZ.6603 (a) | 76, 77 | Reciprocating Internal Combustion Engine (RICE) NESHAP - requirements for existing engines at area sources of HAP emissions |
| FACILITY | 40CFR 63-ZZZZ.6605 (a) | 78 | Reciprocating Internal Combustion Engine (RICE) NESHAP - compliance |
| FACILITY | 40CFR 63-ZZZZ.6605 (b) | 79 | Reciprocating Internal Combustion Engine (RICE) NESHAP - operate and maintain air pollution control and monitoring equipment |
| FACILITY | 40CFR 63-ZZZZ.6625 (e) | 80 | Reciprocating Internal Combustion Engine (RICE) NESHAP - maintenance of engine and control device |
| FACILITY | 40CFR 63-ZZZZ.6625 (f) | 81 | Reciprocating Internal Combustion |

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

| | | | |
|---------------|------------------------|-----|--|
| FACILITY | 40CFR 63-ZZZZ.6625 (h) | 82 | Engine (RICE) NESHAP - non-resettable hour meter for certain existing emergency engines Reciprocating Internal Combustion Engine (RICE) NESHAP - idling time at startup |
| FACILITY | 40CFR 63-ZZZZ.6625 (i) | 83 | Reciprocating Internal Combustion Engine (RICE) NESHAP - oil analysis program for compression ignition engines |
| FACILITY | 40CFR 63-ZZZZ.6625 (j) | 84 | Reciprocating Internal Combustion Engine (RICE) NESHAP - oil analysis program for spark ignition engines |
| FACILITY | 40CFR 63-ZZZZ.6640 (b) | 85 | Reciprocating Internal Combustion Engine (RICE) NESHAP - deviations and catalyst changing |
| FACILITY | 40CFR 63-ZZZZ.6640 (f) | 86 | Reciprocating Internal Combustion Engine (RICE) NESHAP - emergency engines |
| FACILITY | 40CFR 63-ZZZZ.6650 (b) | 87 | Reciprocating Internal Combustion Engine (RICE) NESHAP - reporting schedule |
| U-00006/-/GEN | 40CFR 63-ZZZZ.6650 (c) | 120 | Reciprocating Internal Combustion Engine (RICE) NESHAP - contents of compliance reports |
| FACILITY | 40CFR 63-ZZZZ.6650 (d) | 88 | Reciprocating Internal Combustion Engine (RICE) NESHAP - deviation reports |
| U-00006/-/GEN | 40CFR 63-ZZZZ.6650 (e) | 121 | Reciprocating Internal Combustion Engine (RICE) NESHAP - deviation reporting contained in compliance reports |
| FACILITY | 40CFR 63-ZZZZ.6650 (f) | 89 | Reciprocating Internal Combustion Engine (RICE) NESHAP - Title V and NESHAP reporting |
| FACILITY | 40CFR 63-ZZZZ.6655 | 90 | Reciprocating Internal Combustion Engine (RICE) NESHAP - Record keeping requirements |
| FACILITY | 40CFR 63-ZZZZ.6665 | 91 | Reciprocating Internal Combustion Engine (RICE) NESHAP - General provisions |

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

| | | | |
|----------|--------------------------------|------------|--|
| FACILITY | 40CFR 64 | 92, 93, 94 | COMPLIANCE ASSURANCE MONITORING |
| FACILITY | 40CFR 68 | 19 | Chemical accident prevention provisions |
| FACILITY | 40CFR 82-F | 20 | Protection of Stratospheric Ozone - recycling and emissions reduction |
| FACILITY | 6NYCRR 200.6 | 1 | Acceptable ambient air quality. |
| FACILITY | 6NYCRR 200.7 | 10 | Maintenance of equipment. |
| FACILITY | 6NYCRR 201-1.15 | 131 | Requirement to Commence Construction |
| FACILITY | 6NYCRR 201-1.16(a) (3) | 132, 133 | Research and Development Activities |
| FACILITY | 6NYCRR 201-1.4 | 130 | Unavoidable noncompliance and violations |
| FACILITY | 6NYCRR 201-1.7 | 11 | Recycling and Salvage |
| FACILITY | 6NYCRR 201-1.8 | 12 | Prohibition of reintroduction of collected contaminants to the air |
| FACILITY | 6NYCRR 201-3.2(a) | 13, 14 | Exempt Activities - Proof of eligibility |
| FACILITY | 6NYCRR 201-3.3(a) | 15 | Trivial Activities - proof of eligibility |
| FACILITY | 6NYCRR 201-6 | 21, 95, 96 | Title V Permits and the Associated Permit Conditions |
| FACILITY | 6NYCRR 201-6.4(a) (4) | 16 | General Conditions - Requirement to Provide Information |
| FACILITY | 6NYCRR 201-6.4(a) (7) | 2 | General Conditions - Fees |
| FACILITY | 6NYCRR 201-6.4(a) (8) | 17 | General Conditions - Right to Inspect |
| FACILITY | 6NYCRR 201-6.4(c) | 3 | Recordkeeping and Reporting of Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.4(c) (2) | 4 | Records of Monitoring, Sampling and Measurement |
| FACILITY | 6NYCRR 201- 6.4(c) (3) (ii) | 5 | Reporting Requirements - Deviations and Noncompliance |
| FACILITY | 6NYCRR 201-6.4(d) (4) | 22 | Compliance Schedules - Progress Reports |
| FACILITY | 6NYCRR 201-6.4(e) | 6 | Compliance Certification |
| FACILITY | 6NYCRR 201-6.4(f) | 23, 24 | Operational Flexibility |
| FACILITY | 6NYCRR 201-6.4(g) | 25 | Permit Shield |
| FACILITY | 6NYCRR 201-6.5(a) | 134 | State Enforceable Requirements |
| FACILITY | 6NYCRR 201-7 | 26, 97 | Federally Enforceable Emissions Caps |
| FACILITY | 6NYCRR 202-1.1 | 18 | Required emissions tests. |
| FACILITY | 6NYCRR 202-2.1 | 7 | Emission Statements - Applicability |

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

| | | | |
|-------------------------|----------------------------|----------------|---|
| FACILITY | 6NYCRR 202-2.4 (a) (3) | 29 | Emission statement methods and procedures |
| FACILITY | 6NYCRR 202-2.5 | 8 | Emission Statements - record keeping requirements. |
| FACILITY | 6NYCRR 211.1 | 135 | General Prohibitions - air pollution prohibited |
| FACILITY | 6NYCRR 211.2 | 30 | General Prohibitions - visible emissions limited. |
| FACILITY | 6NYCRR 212-1.6 (a) | 31 | Limiting of Opacity |
| FACILITY | 6NYCRR 212-1.7 (a) | 32 | Emission Testing Using Approved Procedures |
| FACILITY | 6NYCRR 212-2.1 (a) | 136 | HTACs applicable to Table 212-2.3 Table 4 |
| FACILITY | 6NYCRR 212-2.1 (b) | 33, 34, 35, 36 | Conditions should be cited under Table 3 or Table 4, 212-2.3 (a) or (b) |
| FACILITY | 6NYCRR 212-2.4 (b) | 37 | Control of Particulate from New and Modified Process Emission Sources |
| U-00001/E1545/CAP/C1545 | 6NYCRR 212-2.4 (b) | 105 | Control of Particulate from New and Modified Process Emission Sources |
| U-00001/E1613/CAP/C0099 | 6NYCRR 212-2.4 (b) | 111 | Control of Particulate from New and Modified Process Emission Sources |
| U-00002/E0014/OTH/C0014 | 6NYCRR 212-2.4 (b) | 112 | Control of Particulate from New and Modified Process Emission Sources |
| U-00002/E0015/OTH/C0015 | 6NYCRR 212-2.4 (b) | 113 | Control of Particulate from New and Modified Process Emission Sources |
| U-00002/E1608/OTH/C0012 | 6NYCRR 212-2.4 (b) | 115 | Control of Particulate from New and Modified Process Emission Sources |
| U-00002/E1610/OTH/C0013 | 6NYCRR 212-2.4 (b) | 116 | Control of Particulate from New and Modified Process Emission Sources |
| U-00002/E2040/OTH/C2040 | 6NYCRR 212-2.4 (b) | 118 | Control of Particulate from New and Modified Process Emission Sources |
| U-00005/E1650/CS1/C1650 | 6NYCRR 212-2.4 (b) | 119 | Control of Particulate from New and Modified Process Emission Sources |
| FACILITY | 6NYCRR 212-3.1 (c) (4) (i) | 38, 39, 40 | RACT compliance plan control limits for Capture and Control |
| U-00001/E0003/CAP/C0003 | 6NYCRR 212-3.1 (c) (4) (i) | 103 | RACT compliance plan control limits for Capture and Control |
| U- | 6NYCRR 212- | 107 | RACT compliance plan |

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

| | | | |
|-------------------------|----------------------------|-----|--|
| 00001/E157A/CAP/C157A | 3.1 (c) (4) (i) | | control limits for Capture and Control RACT compliance plan |
| U-00001/E157B/CAP/C157B | 6NYCRR 212-3.1 (c) (4) (i) | 108 | control limits for Capture and Control RACT compliance plan |
| U-00001/E157C/CAP/C157C | 6NYCRR 212-3.1 (c) (4) (i) | 109 | control limits for Capture and Control RACT compliance plan |
| U-00009/E9001/APT/C9001 | 6NYCRR 212-3.1 (c) (4) (i) | 128 | control limits for Capture and Control RACT compliance plan |
| FACILITY | 6NYCRR 212-3.1 (f) | 41 | Owners or operators of applicable emission points commences construction after August 15, 1994 |
| FACILITY | 6NYCRR 215.2 | 9 | Open Fires - Prohibitions |
| FACILITY | 6NYCRR 225-1.2 (d) | 42 | Sulfur-in-Fuel Limitation - Distillate Oil |
| FACILITY | 6NYCRR 226 | 43 | SOLVENT METAL CLEANING PROCESSES |
| FACILITY | 6NYCRR 227-1.4 (a) | 44 | Opacity Standard |
| FACILITY | 6NYCRR 227-2.4 (d) | 45 | Small boilers, small combustion turbines, and small stationary internal combustion engines. |
| U-00008 | 6NYCRR 229.3 (e) (2) (v) | 127 | Volatile organic liquid storage tanks |

Applicability Discussion:

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

ECL 19-0301

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

6 NYCRR 200.6

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

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control 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

Division of Air Resources
Permit Review Report

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (a) (4)

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

6 NYCRR 201-6.4 (a) (7)

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

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

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

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

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

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

6 NYCRR 201-6.4 (d) (4)

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

6 NYCRR 201-6.4 (e)

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

6 NYCRR 201-6.4 (g)

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

6 NYCRR 202-1.1

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

6 NYCRR 202-2.5

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

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

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, ERWIN MANUFACTURING COMPLEX has been determined to be subject to the following regulations:

40 CFR 60.4202 (b)

This regulation states that for stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to be subject to the emission standards specified in paragraphs (b)(1) through (2) of 40 CFR 60 Subpart III.

40 CFR 60.4205 (c)

This requirement applies to stationary compression ignition IC fire pump engines displacing less than 30 liters/cylinder.

40 CFR 60.4206

This requirement mandates that owners or operators of stationary compression ignition IC engines that achieve the emission standards as required in 40 CFR 60.4204 and 4205 maintain the engines according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.

40 CFR 60.4207 (b)

These conditions states the fuel requirements for compression ignition stationary engines with a displacement of less than 30 liters per cylinder

40 CFR 60.4209 (a)

The owner and/or operator of an emergency stationary compression ignition internal combustion engine subject to this subpart is required to install a non-resettable hour meter.

40 CFR 60.4209 (b)

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

The owner and/or operator of a stationary compression ignition internal combustion engine subject to this subpart which is equipped with a diesel particulate filter must install a back pressure monitor to notify the owner and/or operator when the back pressure limit of the engine is approached.

40 CFR 60.4211 (a)

This regulation states that the owner or operator must comply with the emission standards specified in 40 CFR 60 Subpart IIII and must operate and maintain the stationary compression ignition internal combustion engine and control device according to the manufacturer's written instructions.

40 CFR 60.4211 (b)

This citation states the standards for pre-2007 model year stationary compression ignition engines and for fire pump engines manufactured prior to the model years specified in Table 3 to Subpart IIII.

40 CFR 60.4211 (f)

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

40 CFR 60.4211 (g)

This regulation specifies that any changes made to emissions related settings, not in accordance with manufacturer's requirements, must be tested to ensure that the unit meets the emissions limits.

40 CFR 60.4214 (b)

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

40 CFR 60.4218

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

40 CFR 60.4233 (e)

This regulation sets the emission limit for internal combustion engines greater than 100 horsepower.

40 CFR 60.4243 (a) (1)

This regulation requires the owners and/or operators of internal combustion engines subject to Subpart

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

JJJJ to keep records of maintenance on the engine and any demonstrated compliance with the standards in Subpart JJJJ.

40 CFR 60.4243 (b) (1)

This condition states how to demonstrate compliance by purchasing a certified engine.

40 CFR 60.4243 (d)

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

40 CFR 60.4245 (a)

This regulation sets forth the notification, reporting and recordkeeping requirements for 40 CFR 60 Subpart JJJJ, for owners and operators of stationary spark ignited internal combustion engines.

40 CFR 60.4245 (b)

This citation states the requirement for the installation of a non-resettable hour meter.

40 CFR 60.672 (a)

This regulation limits the opacity of emissions from a stack at a non-metallic processing facility to not greater than 7%. Further, the emissions of particulate matter from the stack may not exceed 0.022 grains per dry standard cubic feet.

40 CFR 60.672 (e) (1)

This citation states the opacity standard for building openings.

40 CFR 60.673

This citation states the components included when determining if a facility has been reconstructed.

40 CFR 60.674 (c)

This regulation requires quarterly opacity monitoring for non-metallic mineral processing units that use a baghouse to control particulates.

Division of Air Resources
Permit Review Report

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

40 CFR 60.674 (d)

This regulation specifies that as an alternative to the periodic Method 22 (40 CFR part 60, Appendix A-7) visible emissions inspections specified in paragraph (c) of 40 CFR 60.674, the owner or operator of any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses a baghouse to control emissions may use a bag leak detection system.

40 CFR 60.675

This citation states the test methods and procedures for Subpart OOO.

40 CFR 60.676 (a)

This citation states the reporting requirements for Subpart OOO.

40 CFR 60.676 (b) (1)

This citation states recordkeeping requirements for Subpart OOO.

40 CFR 60.676 (b) (2)

This regulation specifies the recordkeeping requirements for leak detection systems at facilities subject to 40 CFR 60 Subpart OOO.

40 CFR 60.676 (f)

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

40 CFR 60.676 (h)

The notification of the anticipated date of initial startup of an affected facility shall be waived for owners or operators of affected facilities regulated under this subpart. Instead, a notification of the actual date of initial startup may be substituted..

40 CFR 60.676 (i)

This regulation requires the owner or operator of portable aggregate processing plants to notify the administrator of the actual date of initial startup which shall include the home office and the current address or location of the portable plant.

40 CFR 60.676 (j)

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

This regulation states that the requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State.

40 CFR 63.6590 (c)

This regulation states that an affected source that is a new or reconstructed stationary RICE located at an area source must meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR Part 60 Subpart JJJJ, for spark ignition engines.

40 CFR 63.6603 (a)

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

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

40 CFR 63.6605 (a)

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

40 CFR 63.6605 (b)

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

40 CFR 63.6625 (e)

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

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

40 CFR 63.6625 (f)

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

40 CFR 63.6625 (h)

This regulation requires the owner or operator of a reciprocating internal combustion engine, operating at a major source of hazardous air pollutants, to minimize the idling time of the engine at startup. Startup time is limited to 30 minutes or less.

40 CFR 63.6625 (i)

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

40 CFR 63.6625 (j)

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

40 CFR 63.6640 (b)

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

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

40 CFR 63.6640 (f)

This condition states the operation requirements for emergency engines.

40 CFR 63.6650 (b)

This regulation sets forth the reporting requirements for the owner or operators of stationary internal combustion engines at facilities with emissions of hazardous air pollutants.

40 CFR 63.6650 (c)

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

This condition lists what the facility needs to submit with the semiannual compliance report required in this rule.

40 CFR 63.6650 (d)

This condition lists what the facility needs to submit when a deviation occurs with respect to requirements in this rule.

40 CFR 63.6650 (e)

This condition lists what information the facility needs to submit for each deviation from an emission limit or operating limit.

40 CFR 63.6650 (f)

This condition states when information in the compliance report required by the NESHAP can be used for the semiannual monitoring report required for Title V.

40 CFR 63.6655

This regulation sets forth the record keeping requirements for owners or operators of stationary internal combustion engines at facilities with emissions of hazardous air pollutants.

40 CFR 63.6665

This regulation specifies which provisions of the General provisions (Subpart A of 40 CFR 63) apply to the owner or operators of stationary internal combustion engines at facilities with emissions of hazardous air pollutants.

40 CFR Part 60, Subpart A

This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40 CFR Part 64

The federal Compliance Assurance Monitoring (CAM) rule, 40 CFR Part 64, requires monitoring of control device, capture system, and/or process parameters to provide a reasonable assurance of compliance with emission limitations or standards. It applies to emission units that use a control device to comply with certain standards and limitations and that have potential pre-control device emissions equal to or greater than a major source threshold.

Acid Rain program requirements; stratospheric ozone protection requirements; post-1990 New Source

Division of Air Resources
Permit Review Report

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

Performance Standards, Emission Guidelines, and National Emission Standards for Hazardous Air Pollutants; and some other limitations are exempt from CAM. However, many of the exempt requirements are subject to less stringent periodic monitoring under 40 CFR Part 70 and 6NYCRR Subpart 201-6.

6 NYCRR 201-1.15

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

6 NYCRR 201-1.16 (a) (3)

This citation describes the recordkeeping requirements for facilities conducting research and development activities that meet the criteria specified in 6 NYCRR 201-1.16.

6 NYCRR 201-6.4 (f)

This section describes the operational flexibility protocol proposed by the facility. The protocol will allow the facility owner or operator to make certain changes at the facility without the need for a permit modification. Changes made pursuant to the protocol must be approved by the Department, and will be rolled into the permit during the next renewal or modification.

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.

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

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 212-1.7 (a)

This provision requires facility owners and/or operators of a process emission source who are demonstrating compliance be required to conduct capture efficiency and/or stack emissions testing using acceptable and approved procedures pursuant to Part 202 of this Title.

6 NYCRR 212-2.1 (a)

This provision is for an air contaminant listed in Section 212-2.2 Table 2 - High Toxicity Air Contaminant List (HTAC). The facility owner or operator must either limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC; or demonstrate compliance with the air cleaning requirements for the HTAC as specified in Subdivision 212-2.3(b), Table 4.

6 NYCRR 212-2.1 (b)

This provision applies to any air contaminant not listed on the High Toxicity Air Contaminant List (HTAC) and states the facility owner or operator shall not allow emissions of an air contaminant to violate the requirements specified in Subdivision 212-2.3(a), Table 3 - or Table 4.

6 NYCRR 212-2.4 (b)

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

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

at standard conditions on a dry gas basis.

6 NYCRR 212-3.1 (c) (4) (i)

This provision states that owners and/or operators of emission points subject to Part 212-3 operating prior to October 20, 1994 must submit a compliance plan to the department. The compliance plan must demonstrate that the VOC emission points are equipped with a capture system and a control device with an overall removal efficiency of at least 81 percent.

6 NYCRR 212-3.1 (f)

This provision states that owners and/or operators of emission points located at applicable facilities and commence construction after August 15, 1994 must submit a RACT demonstration for nitrogen oxides and VOC emissions with each application for a permit to operate. RACT must be implemented on these emission points when operation commences. A RACT analysis is not required for new emission points with NO_x and VOC emission rate potentials less than 3.0 pounds per hour and actual emissions in the absence of control equipment less than 15.0 pounds per day at facilities located outside of the Lower Orange County towns of Blooming Grove, Chester, Highlands, Monroe, Tuxedo, Warwick, and Woodbury and New York City metropolitan area.

6 NYCRR 225-1.2 (d)

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

6 NYCRR 227-1.4 (a)

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

6 NYCRR 227-2.4 (d)

This section includes NO_x RACT requirements for small boilers, small combustion turbines, and small stationary internal combustion engines.

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022

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 Part 226

This regulation specifies the general requirements, equipment specifications and operating requirements for open-top vapor, conveyORIZED and cold cleaning degreasers.

6 NYCRR Subpart 201-7

This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is

Non Applicability Analysis

List of non-applicable rules and regulations:

| Location Facility/EU/EP/Process/ES | Regulation | Short Description |
|--|-----------------------------------|--|
| FACILITY | 40 CFR Part 63, Subpart JJJJJ | Brick and Structural Clay NESHAP |
| Reason: The Erwin Manufacturing Complex's kilns do not meet the definition of an affected source at a Brick and Structural Clay Product Manufacturing Facility, therefore these kilns are not subject to this standard. | | |
| FACILITY | 40 CFR Part 63, Subpart KKKKK | Clay Ceramics Manufacturing NESHAP |
| Reason: The Erwin Manufacturing Complex does not meet the definition of a Clay Ceramics Manufacturing Facility, therefore the facility is not subject to this standard. | | |
| FACILITY | 40 CFR Part 63, Subpart RRRRRR | Clay Ceramics Manufacturing Area Source NESHAP |
| Reason: The Erwin Manufacturing Complex is not subject to 40CFR63 Subpart RRRRRR National Emission Standards For Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources because it does not meet the definition of a Clay Ceramics Manufacturing Area Source. | | |
| FACILITY | 40 CFR Part 63, Subpart SSSSS | Refractory Products Manufacturing NESHAP |

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022

Reason: The Erwin Manufacturing Complex is not subject to 40CFR63 Subpart SSSSS National Emission Standard For Hazardous Air Pollutants for Refractory Products Manufacturing because it does not meet the definition of a Refractory Ceramic Products Manufacturing Facility.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.4(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification

Summary of monitoring activities at ERWIN MANUFACTURING COMPLEX:

| Location Facility/EU/EP/Process/ES | Cond No. | Type of Monitoring |
|---|-----------------|---|
| ----- | | |
| --- | | |
| FACILITY | 47 | record keeping/maintenance procedures |
| U-00006/E6000/DFP/S6000 | 122 | record keeping/maintenance procedures |
| FACILITY | 49 | record keeping/maintenance procedures |
| FACILITY | 50 | record keeping/maintenance procedures |
| U-00006/E6008/GEN/S6008 | 124 | record keeping/maintenance procedures |
| FACILITY | 51 | record keeping/maintenance procedures |
| U-00006/E6000/DFP/S6000 | 123 | record keeping/maintenance procedures |
| FACILITY | 52 | record keeping/maintenance procedures |
| FACILITY | 53 | record keeping/maintenance procedures |
| FACILITY | 54 | record keeping/maintenance procedures |
| U-00006/E6010 | 125 | record keeping/maintenance procedures |
| U-00006/E6010 | 126 | record keeping/maintenance procedures |
| FACILITY | 57 | monitoring of process or control device parameters as surrogate |
| FACILITY | 58 | record keeping/maintenance procedures |
| FACILITY | 59 | record keeping/maintenance procedures |
| FACILITY | 60 | record keeping/maintenance procedures |
| FACILITY | 61 | intermittent emission testing |
| FACILITY | 62 | intermittent emission testing |
| U-00001/E0002/CAP/C0002 | 102 | monitoring of process or control device parameters as surrogate |
| U-00001/E1541/CAP/C0001 | 104 | monitoring of process or control device parameters as surrogate |
| U-00001/E1547/CAP/C1547 | 106 | monitoring of process or control device parameters as surrogate |
| U-00001/E1593/CAP/C1593 | 110 | monitoring of process or control device parameters as surrogate |
| U-00002/E1546/OTH/C0009 | 114 | monitoring of process or control device parameters as surrogate |
| U-00002/E1614/OTH/C1614 | 117 | monitoring of process or control device parameters as surrogate |
| FACILITY | 63 | intermittent emission testing |
| FACILITY | 64 | record keeping/maintenance procedures |

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

| | | |
|-------------------------|-----|---|
| FACILITY | 65 | monitoring of process or control device parameters as surrogate |
| FACILITY | 66 | record keeping/maintenance procedures |
| FACILITY | 69 | record keeping/maintenance procedures |
| FACILITY | 70 | record keeping/maintenance procedures |
| FACILITY | 71 | record keeping/maintenance procedures |
| FACILITY | 74 | record keeping/maintenance procedures |
| FACILITY | 76 | record keeping/maintenance procedures |
| FACILITY | 77 | record keeping/maintenance procedures |
| FACILITY | 80 | record keeping/maintenance procedures |
| FACILITY | 81 | record keeping/maintenance procedures |
| FACILITY | 82 | monitoring of process or control device parameters as surrogate |
| FACILITY | 83 | record keeping/maintenance procedures |
| FACILITY | 84 | record keeping/maintenance procedures |
| FACILITY | 85 | record keeping/maintenance procedures |
| FACILITY | 86 | record keeping/maintenance procedures |
| FACILITY | 90 | record keeping/maintenance procedures |
| FACILITY | 92 | record keeping/maintenance procedures |
| FACILITY | 93 | record keeping/maintenance procedures |
| FACILITY | 94 | record keeping/maintenance procedures |
| FACILITY | 132 | record keeping/maintenance procedures |
| FACILITY | 133 | record keeping/maintenance procedures |
| FACILITY | 14 | work practice involving specific operations |
| FACILITY | 5 | record keeping/maintenance procedures |
| FACILITY | 6 | record keeping/maintenance procedures |
| FACILITY | 24 | record keeping/maintenance procedures |
| FACILITY | 27 | monitoring of process or control device parameters as surrogate |
| FACILITY | 28 | monitoring of process or control device parameters as surrogate |
| U-00001 | 98 | monitoring of process or control device parameters as surrogate |
| U-00001 | 99 | monitoring of process or control device parameters as surrogate |
| U-00001 | 100 | monitoring of process or control device parameters as surrogate |
| U-00001 | 101 | monitoring of process or control device parameters as surrogate |
| FACILITY | 7 | record keeping/maintenance procedures |
| FACILITY | 31 | record keeping/maintenance procedures |
| FACILITY | 136 | record keeping/maintenance procedures |
| FACILITY | 33 | record keeping/maintenance procedures |
| FACILITY | 34 | record keeping/maintenance procedures |
| FACILITY | 35 | record keeping/maintenance procedures |
| FACILITY | 36 | record keeping/maintenance procedures |
| FACILITY | 37 | intermittent emission testing |
| U-00001/E1545/CAP/C1545 | 105 | monitoring of process or control device parameters as surrogate |
| U-00001/E1613/CAP/C0099 | 111 | monitoring of process or control device parameters as surrogate |
| U-00002/E0014/OTH/C0014 | 112 | monitoring of process or control device parameters as surrogate |
| U-00002/E0015/OTH/C0015 | 113 | monitoring of process or control device parameters as surrogate |
| U-00002/E1608/OTH/C0012 | 115 | monitoring of process or control device parameters as surrogate |
| U-00002/E1610/OTH/C0013 | 116 | monitoring of process or control device parameters as surrogate |
| U-00002/E2040/OTH/C2040 | 118 | monitoring of process or control device parameters as surrogate |
| U-00005/E1650/CS1/C1650 | 119 | monitoring of process or control device parameters as surrogate |
| FACILITY | 38 | record keeping/maintenance procedures |
| FACILITY | 39 | record keeping/maintenance procedures |

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

| | | |
|-------------------------|-----|---|
| FACILITY | 40 | intermittent emission testing |
| U-00001/E0003/CAP/C0003 | 103 | monitoring of process or control device parameters as surrogate |
| U-00001/E157A/CAP/C157A | 107 | monitoring of process or control device parameters as surrogate |
| U-00001/E157B/CAP/C157B | 108 | monitoring of process or control device parameters as surrogate |
| U-00001/E157C/CAP/C157C | 109 | monitoring of process or control device parameters as surrogate |
| U-00009/E9001/APT/C9001 | 128 | monitoring of process or control device parameters as surrogate |
| FACILITY | 41 | record keeping/maintenance procedures |
| FACILITY | 42 | work practice involving specific operations |
| FACILITY | 43 | record keeping/maintenance procedures |
| FACILITY | 44 | monitoring of process or control device parameters as surrogate |
| FACILITY | 45 | record keeping/maintenance procedures |
| U-00008 | 127 | record keeping/maintenance procedures |

Basis for Monitoring

Most of the monitoring requirements contained in this permit are based on specific monitoring methods and observations as prescribed in the applicable rules. Facility specific monitoring conditions were written to assure that reliable information is obtained representing the facility's compliance status with the following requirements:

Sets process level emission limits to cap the particulates emissions below the NSR applicability thresholds.

Requires compliance demonstrations and record keeping.

6 NYCRR 201-3.2 (a)

Requires the facility to keep track of hours of operation of internal combustion engines to show proof of exemption from NYS permitting (<500 hrs/yr).

6 NYCRR 201-1-16 (a)(3)

Requires the facility to meet the CAP and R&D requirements for a process/source to be considered an R&D operation.

6 NYCRR 201-7

Requires the facility to track their aggregate HAP and individual HAP (hydrogen chloride) emissions monthly to ensure that they stay out of potential MACT requirements.

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022

Condition previously listed under 40 CFR 52.21 and Part 232 were added as existing CAPs under this section for particulates, PM10, and VOCs for emission unit U-00001 under NSR applicability thresholds.

6NYCRR Part 212-1.6(a)

The regulation of opacity (visible emissions) at 6 NYCRR Part 212-1.6(a) does not specify periodic monitoring. Therefore, the permit must contain periodic monitoring to demonstrate compliance with the 20% opacity limit. Generally, all Part 212 applicable sources at which have the potential to emit particulate emissions are subject to this opacity limit. Opacity in excess of 20% may indicate a particulate control problem but there is not always a correlation between mass emissions and opacity. Compliance with the particulate standards themselves are regulated separately under Part 212-2.4(b) and other Federal standards.

The particulate emission sources in this permit do not warrant continuous opacity monitors. Some, due to their very small potential emissions or their minimal operating time, typically have negligible or very short term (less than six minutes) opacity (a small scale pouring operation, for example). Others may have the potential to emit significant particulate emissions, but due to the high level of particulate controls required by the permit are highly unlikely to exceed the opacity standard except during a process upset. Generally, for these sources which do not have continuous opacity monitors the permit requires a visible observation on a semi-annual frequency. The permit condition also requires that any instance where there is cause to believe that visible emissions have the potential to exceed the standard must be investigated and followed-up with EPA Method 9 assessment if not corrected within one operating day. If there is still a doubt as to whether the standard is being met, the Department may conduct, or require, a Method 9 assessment for compliance at any time.

6NYCRR 212-2.1(a)

Requires the facility to track and monitor High Toxicity Air Contaminants listed on Section 212-2.2, table 2. These emissions are mostly from natural gas combusted at the facility.

6NYCRR 212-2.1(b)

The requirements under this condition are to control hydrogen fluoride emissions to keep it below the modeled parameters through scrubber system and source quantities. In

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**

addition to controlling hydrogen fluoride they are required to keep the modeling accurate for hydrogen chloride, hydrogen fluoride, and carbon monoxide.

6 NYCRR 212-2.4(b)

To ensure that the particulate emissions from any source does not exceed 0.050 grains per cubic foot of exhaust gas, the facility must operate control devices and monitor process sources. The facility must assess and report semi-annually if there were any instances of exceedance of this standard or operating parameters changes that could possibly cause an exceedance.

Compliance with this standard must also include monitor the pressure drop across dust collectors. At a minimum a weekly reading is required to be collected to show that the dust collectors are operating and providing the necessary control efficiency to demonstrate that point is meeting the 0.05 grain/dscf emission standard.

6 NYCRR 212-3.1(c)(4)(i)

To meet RACT (reasonably available control technology) VOC emission points equipped with a capture system and a control device with an overall removal efficiency of at least 81 percent. Primarily this facility meets this requirement by having thermal oxidizers (TO) installed. To ensure that the TO must meet required temperature and conditions that showed compliance for each unit. The temperature and control period parameters must be monitored to ensure that the TO is being operated approximately to provide at least 81% overall removal efficiency.

6 NYCRR 227-2.4(d)

Requires an annual tune-up on small boilers. The facility must certify semi-annually the status and keep records onsite.

40 CFR 60 IIII

This is a non-delegated regulation for New York state and additional conditions included in the permit upon the facilities' request.

40 CFR 60.672(a)

**Division of Air Resources
Permit Review Report**

Permit ID: 8-4642-00009/00109

Renewal Number: 3

07/13/2022

Sets opacity and particulates emission standards and requires stack tests, operation and monitoring of control equipment, and recordkeeping.

40 CFR 60.672(e)(1)

Requires the facility to control fugitive dust by limiting opacity from building for mineral processing operations.

40 CFR 60.674(c)

Requires visible stack emission obversions and facility record keeping for baghouses on mineral operations newer than April 22, 2008.

40 CFR 60.676(b)(1)

Requires the facility to keep record of inspections.

40 CRF 60.676(f)

Ensures that the facility submits reports of performance test.

40 CFR 63 ZZZZ

This is a non-delegated regulation for New York state and additional conditions included in the permit upon the facilities' request.

40 CFR 64

Sets compliance assurance monitoring requirements for the VOC, PM and HF emission sources meeting the applicability criteria.

**Division of Air Resources
Permit Review Report**

**Permit ID: 8-4642-00009/00109
Renewal Number: 3
07/13/2022**