



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-0622-00003/00071

Renewal Number: 2

Modification Number: 1 09/22/2015

Facility Identification Data

Name: CUMMINS INC - JAMESTOWN ENGINE PLANT

Address: 4720 BAKER ST EXT

LAKEWOOD, NY 14750

Owner/Firm

Name: CUMMINS INC

Address: 4720 BAKER ST EXT

LAKEWOOD, NY 14750-9762, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

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4720 BAKER ST EXT

LAKEWOOD, NY 14750-9766

Phone:7164562929

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

Cummins plans to install two new 15L block line washer emission sources. The block line washers are used to clean machining fines and coolant residue from the blocks. Each of these new sources will also have a corresponding emission point.



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Attainment Status

CUMMINS INC - JAMESTOWN ENGINE PLANT is located in the town of BUSTI in the county of CHAUTAUQUA.

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 CUMMINS JAMESTOWN ENGINE PLANT MANUFACTURES, ASSEMBLES, AND PAINTS DIESEL ENGINES. THE PLANT INCLUDES ONE MANUFACTURING BUILDING AND A SMALL WASTEWATER TREATMENT SUPPORT BUILDING.

Permit Structure and Description of Operations

The Title V permit for CUMMINS INC - JAMESTOWN ENGINE PLANT

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.



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CUMMINS INC - JAMESTOWN ENGINE PLANT is defined by the following emission unit(s):

Emission unit 2PAINT - Emission Unit 2-PAINT includes one large main paint spray booth, a small manual paint spray booth, one paint dry oven and a flash tunnel. The emission unit includes five emission points: two for the drying oven, one for each of the paint booths, and one for the flash tunnel. The paint system is used to apply paint to diesel engines manufactured at the plant. This emission unit is subject to the VOC RACT limitations of 6NYCRR Part 228-1 for Class B coating lines.

When the current paint system was installed, the emission unit was capped at 47.9 tpy VOC. The VOC emissions from the project itself were limited to less than 39 tons per year (tpy) as determined by summing the VOC consumption from the project during any consecutive 12 month period. Part 231-2 New Source Review was therefore not required for the project. Actual VOC emissions prior to the change were 8.9 tpy. Total VOC emissions from this emission unit were therefore capped so as not to exceed 47.9 tpy (95,800 lbs/yr).

Emission unit 2PAINT is associated with the following emission points (EP):
00000, 00020, 00023, 00024, 00025, 00026, 00097

Process: P01 is located at COLUMN S3, Building MAIN - Process P01 includes the entire emission unit 2-PAINT. Paint is applied to the engines by four (4) ABB robots using High Volume Low Pressure (HVLP) spray guns and two (2) operators, manually spraying using HVLP spray guns. Up to ten (10) different color paints are applied to the engines.

The paint booth system includes one large conveyORIZED paint booth (emission source PB007) in which the engines are painted. Exhaust from the large paint booth passes through a filter (emission source FL003) and is directed to one stack (EP00023). Exhaust air from the smaller manual booth (emission source PB006) passes through a filter (emission source FL002) and is directed out one stack (EP00026). This smaller paint booth is used primarily to paint racks and other miscellaneous equipment. Approximately 80% of volatile organics and 100% of particulates from this process are emitted from EP00023 and EP00026.

The engines are moved from the paint booth to a flash tunnel (emission source FT001/EP00024) and two drying ovens (drying oven VN002/EP00020 and top coat oven VN001/EP00025). The remaining 20% of VOCs are emitted from this process through EP00024, EP00020 and EP00025.

Manual touch-up is done using HVLP guns in a manual spray booth separate from the paint line. This source (PR016) is sent through a fabric filter (FL019) then exhausted through emission point EP097.

Emission unit 1ENGTC - Emission Unit 1-ENGTC includes the emissions of combustion products from the diesel engines tested in the test cells at the facility. This emission unit includes 12 emission points and three processes as follows:

(1) Research Engine Test Cells - Process E01, including Emission Sources TC001 through TC008 plus TC018 and corresponding emission points 00101 through 00108 plus 00118.

(2) Production Test Cells - Process E02, including Emission Sources TC009 through TC017 and TC019. The corresponding emission points are 00124, 00125, and 00126.



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(3) Diesel Storage - Process E03, including Emission Sources TK002 and TK003.

Emission unit 1ENGTC is associated with the following emission points (EP):

00101, 00102, 00103, 00104, 00105, 00106, 00107, 00108, 00118, 00124, 00125, 00126, 00208, 00209
Process: E01 is located at GROUND, Building MAIN - Process E01 includes diesel engines tested in the research engine test cells. The process includes nine emission sources (TC001 through TC008 and TC018) and their corresponding dedicated stacks (emission points 00101 through 00108 and 00118).

Process: E02 is located at GROUND, Building MAIN - Process E02 includes diesel engines tested in the production test cells. The process includes ten combustion emission sources (TC009 through TC017 and TC019) exhausted through three emission points as follows:

EP124 vents TC010, TC012, TC014 and TC016

EP125 vents TC009, TC011, TC013, TC015

EP126 vents TC017 and TC019.

Process: E03 Process E03 includes the storage of diesel fuel in two aboveground tanks. This fuel is primarily used for engine testing.

Emission unit 3MANUF - Emission unit 3-MANUF includes emission sources associated with the manufacturing lines at the plant. The activities included in this emission unit are wet and dry machining, grinding, cleaning, and heat treating operations of primarily, but not limited to, cast iron, steel and aluminum diesel engine parts. The ten processes which directly discharge to the environment through emission points are defined according to manufacturing lines: 318 - flywheel manufacturing line; 503 - block line manufacturing line; 511 - camshaft manufacturing line; 514 - crankshaft manufacturing line; 515 - head line manufacturing line; 516 - AHD camline manufacturing line; M01 - miscellaneous machine washers, 524-122 blockline, 525-122 headline, 369 cutter grind and 15L block line.

Emission unit 3MANUF is associated with the following emission points (EP):

00005, 00010, 00012, 00027, 00030, 00031, 00032, 00033, 00036, 00037, 00040, 00041, 00042, 00043, 00044, 00045, 00049, 00055, 00058, 00060, 00061, 00062, 00063, 00064, 00065, 00066, 00067, 00068, 00069, 00070, 00076, 00077, 00095, 00096, 00098, 00099, 00100, 00300, 00301, 0098A, 0099A
Process: 318 is located at Building MAIN - Process 318 is the flywheel manufacturing line. This process includes emissions generated from machining (emission source MC013) in the dry cast manufacturing. Emissions are controlled with a high efficiency filter (emission source FL004). Emissions are exhausted through emission point 00027.

Process: 369 is located at Building MAIN - Process 369 is the cutter grind operation. This process comprises a CNC machine unit and a cutter grind washer (WS011) with one affiliated emission point (00095).

Process: 503 is located at Building MAIN - Process 503 is the block line manufacturing line. This process includes nine machining units (eight rough end machines and one finish end machine) and five associated high-efficiency Farr-Tenkay dust collectors. Emission sources MC001 and MC002 are



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controlled by dust collector FL005 (emission point 00040); MC003 and MC004 by FL006 (emission point 00041); MC005 and MC006 by FL007 (emission point 00042); MC007 and MC008 by FL008 (emission point 00043); and MC009 by FL009 (emission point 00049).

Process: 511 is located at Building MAIN - Process 511 is the camshaft manufacturing line. This process includes one natural gas-fired heater (cam line draw oven burner - emission source VN008/emission point 00076), one cooling down section (emission source VN009/emission point 00077), an acid etch (emission source PR005/emission point 00055), three IPE hardeners (ES PR001/EP 00036, ES PR002/EP00037, ES PR004/EP00058).

Process: 514 is located at Building MAIN - Process 514 is the crankshaft manufacturing line. This process includes three emission sources, each having a dedicated emission point: two natural gas-fired Langley draw furnaces with rated capabilities of 2.6mm Btu/hr (ES VN004/EP00032 and ES VN005/EP00033) and a draw oven cool down section (ES VN003/EP00031). The furnaces are used to treat crankshaft parts. No control equipment is associated with this process. Some emissions occur associated with materials used for cleaning of products prior to entering the ovens.

Process: 515 is located at Building MAIN - Process 515 is the head line manufacturing line. This process includes two line machining operations (emission sources MC010 and MC011) and two associated high-efficiency Farr-Tenkay dust collectors (ES FL010/EP00044 and ES FL011/EP00045, respectively).

Process: 516 is located at Building MAIN - Process 516 is the AHD camline manufacturing line. This process includes two machining operations (ES MC012 and MC014) (with associated mist collector (ES FL017/EP00060 and ES FL018/EP00064, respectively), an acid etch (ES PR009/EP00062), two heat treat process (ES PR007/EP00067) and ES PR015/EP096, two hardeners (ES PR006/EP00063 and ES PR008/EP00068) and one draw oven (ES VN006/EP00065) and draw oven cooldown (ES VN007/EP00066).

Process: 524 is located at Building MAIN - Process 524 is the 12 liter engine block line. This process comprises a CNC machining unit, a block washer (WS013) with two affiliated emission points (00099 and 0099A), a block/head washer unit (WS014) with one affiliated emission point (00010), and a CMM washer unit (WS015) with one affiliated emission point (00100).

Process: 525 Process 525 is the 12 liter engine head line. This process comprises a CNC machining unit and a head line washer (WS012) with two affiliated emissionpoints (00098 and 0098A).

Process: 526 is located at Building MAIN - Process 526 is the 15 liter engine block line. This process comprises CNC machining units and block washers (15L01 and 15L02) and associated emission points (300 and 301).

Process: M01 is located at Building MAIN - Process M01 includes miscellaneous machine washers at the plant. These washers utilize water-based cleaners to clean and degrease engine parts. They are identified as follows:

ES WS007/EP00030 - CRANK WASHER (AT G-5)

ES WS010/EP00061 - AHD CAM LINE FINISH WASHER (AT M-4)

Emission unit 4WASTE - Emission Unit 4-WASTE includes waste water pre-treatment operations at



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the plant. An ultrafiltration waste treatment process (emission source PR010) vents through a soil biofilter (ES FL016/EP00201) for odor control. Two aeration tanks (ES TK001) which discharge directly to the environment are also included.

Emission unit 4WASTE is associated with the following emission points (EP):
00201

Process: W01 is located at Building WTB - Process W01 includes wastewater treatment operations at the facility. This process includes wastewater storage (emission source TK001) and treatment (emission source PR010) tanks and associated odor control filter (ES FL016/EP00201).

Emission unit 7EMGEN - Emission Unit 7-EMGEN includes the emergency generators subject to 40 CFR 60 Subpart IIII and 40 CFR 63 Subpart ZZZZ.

Process: G01 Process E01 includes emergency fire pumps and engines subject to either 40CFR 60 Subpart ZZZZ or 40 CFR 63 Subpart IIII.

Emission unit 5HEATG - Emission Unit 5-HEATG is a facility-wide activity incorporating all heating and steam generation at the facility. The primary emission points are three natural gas-fired boilers (ES BR001/EP00001, ES BR002/EP00003, and ES BR003/EP00004), each rated at 25.11 mmBtu/hr. These units are fired on natural gas. The facility also has several natural gas fired heating units, all rated at less than 10 mmBtu/hr. The facility emissions of NOx are greater than the 100 tpy threshold, the Part 227-2 NOx RACT Plan includes shutdown of these boilers.

Emission unit 5HEATG is associated with the following emission points (EP):
00001, 00003, 00004

Process: R01 is located at Building MAIN - Process R01 includes three boilers used to create heat and steam for the facility. The boilers burn natural gas. Each boiler has a rated capacity of 25.11 mm Btu/hr. Process R01 is for the combustion of natural gas as the primary fuel source.

Title V/Major Source Status

CUMMINS INC - JAMESTOWN ENGINE PLANT is subject to Title V requirements. This determination is based on the following information:

The air pollution sources at Cummins Engine emit air pollutants consisting mainly of volatile organic compounds (VOCs), hazardous air pollutants (HAPs), particulate matter, and combustion emissions such as nitrogen oxides (NOx) and carbon monoxide.

Based on actual emissions, Cummins is a major source of NOx. The NOx emissions are produced primarily by combustion of diesel fuel in the engine test cells. There are no NOx controls on the test Cummins Engine is a potential major source of VOC, HAP and particulate emissions. VOC emissions are primarily generated from the surface coating operations and are reduced by using



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compliant coatings. Actual particulate emissions from the facility are less than 100 tpy. Cummins Engine uses particulate control equipment to reduce emissions from the manufacturing and surface coating operations.

Cummins Engine has accepted permit limits on VOC, total HAP, and individual HAPs emissions.

Program Applicability

The following chart summarizes the applicability of CUMMINS INC - JAMESTOWN ENGINE PLANT 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) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

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

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

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



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

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

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

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

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

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

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

SIC Code

Description

3519

MANUFACTURE OF INTERNAL COMBUSTION ENGINES

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.

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SCC Code	Description
1-03-006-02	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - NATURAL GAS 10-100 MMBtu/Hr
2-02-001-02	INTERNAL COMBUSTION ENGINES - INDUSTRIAL INDUSTRIAL INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL) Reciprocating
2-02-001-06	INTERNAL COMBUSTION ENGINES - INDUSTRIAL INDUSTRIAL INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL) RECIPROCATING: EVAPORATIVE LOSSES (FUEL STORAGE AND DELIVERY SYSTEM)
3-04-022-01	SECONDARY METAL PRODUCTION SECONDARY METAL PRODUCTION - METAL HEAT TREATING Furnace: General
3-09-030-04	FABRICATED METAL PRODUCTS FABRICATED METAL PRODUCTS - MACHINING OPERATIONS SPECIFY MATERIA**
3-09-030-07	FABRICATED METAL PRODUCTS FABRICATED METAL PRODUCTS - MACHINING OPERATIONS FABRICATED METALS-MACHINE OPERATIONS- LUBRICATION-SPECIFY MATERIAL
3-09-825-99	FABRICATED METAL PRODUCTS FABRICATED METAL PRODUCTS - WASTEWATER, POINTS OF GENERATION WASTEWATER: SPECIFY POINT OF GENERATION
4-02-025-01	SURFACE COATING OPERATIONS SURFACE COATING OPERATIONS - MISCELLANEOUS METAL PARTS Coating Operation
4-02-025-02	SURFACE COATING OPERATIONS SURFACE COATING OPERATIONS - MISCELLANEOUS METAL PARTS Cleaning/Pretreatment

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 Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act



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Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. ONY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE		Range
		lbs/yr		
000106-99-0	1,3-BUTADIENE	19000		
000075-07-0	ACETALDEHYDE	19000		
000107-02-8	ACROLEIN	19000		
000071-43-2	BENZENE	19000		
000630-08-0	CARBON MONOXIDE			>= 50 tpy but < 100 tpy
000050-00-0	FORMALDEHYDE	19000		
007647-01-0	HYDROGEN CHLORIDE	19000		
000091-20-3	NAPHTHALENE	19000		
007697-37-2	NITRIC ACID			> 0 but < 2.5 tpy
ONY090-00-0	OIL MIST			>= 10 tpy but < 25 tpy
ONY210-00-0	OXIDES OF NITROGEN			>= 250 tpy but < 75,000 tpy
ONY075-00-0	PARTICULATES			>= 100 tpy but < 250 tpy
ONY075-00-5	PM-10			>= 100 tpy but < 250 tpy
130498-29-2	POLYCYCLIC AROMATIC HYDROCARBONS	19000		
007446-09-5	SULFUR DIOXIDE			>= 2.5 tpy but < 10 tpy
000108-88-3	TOLUENE	19000		
ONY100-00-0	TOTAL HAP	45000		
ONY998-00-0	VOC			>= 50 tpy but < 100 tpy
001330-20-7	XYLENE, M, O & P MIXT.	19000		

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 that exceeded the emission standards, or other requirements in the permit; and



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

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

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

Item B: 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 C: 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 D: 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 E: 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 F: 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 G: 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



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compliance with the conditions of this permit.

Item H: 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 I: 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 J: 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 K: 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.



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

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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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	48	Powers and Duties of the Department with respect to air pollution control
7-EMGEN	40CFR 60-IIII	46	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
FACILITY	40CFR 63-MMMM	25	MIScellaneous Metal Parts Coating
FACILITY	40CFR 63-PPPPP	25	Engine Test Cells NESHAP
7-EMGEN	40CFR 63-ZZZZ	47	Reciprocating Internal Combustion Engine (RICE) NESHAP
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 201-1.4	49	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	21, 28, 29	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



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FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions -
FACILITY	6NYCRR 201-6.4 (c)	3	Right to Inspect
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Recordkeeping and
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Reporting of
FACILITY	6NYCRR 201-6.4 (d) (4)	22	Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (e)	6	Records of
FACILITY	6NYCRR 201-6.4 (f) (6)	17	Monitoring, Sampling
FACILITY	6NYCRR 201-6.4 (g)	23	and Measurement
FACILITY	6NYCRR 201-7	24, 25	Reporting
2-PAINT	6NYCRR 201-7	33	Requirements -
1-ENGTC	6NYCRR 202-1	1 -1	Deviations and
FACILITY	6NYCRR 202-1.1	18	Noncompliance
FACILITY	6NYCRR 202-2.1	7	Compliance Schedules
FACILITY	6NYCRR 202-2.5	8	- Progress Reports
FACILITY	6NYCRR 211.1	26	Compliance
FACILITY	6NYCRR 211.2	1 -5	Certification
1-ENGTC/-/E01	6NYCRR 211.2	1 -6	Off Permit Changes
1-ENGTC/-/E02	6NYCRR 211.2	1 -7	Permit Shield
3-MANUF	6NYCRR 212-1.6 (a)	1 -3	Federally Enforceable
2-PAINT	6NYCRR 212-2.4 (b)	1 -2	Emissions Caps
3-MANUF	6NYCRR 212-2.4 (b)	1 -4	Federally Enforceable
FACILITY	6NYCRR 215.2	9	Emissions Caps
3-MANUF	6NYCRR 226	43	Emission Testing,
5-HEATG	6NYCRR 227-1.3 (a)	44	Sampling and
5-HEATG	6NYCRR 227-2.5 (d)	45	Analytical
FACILITY	6NYCRR 228-1.1 (b) (9)	27	Determinations
			Required emissions
			tests.
			Emission Statements -
			Applicability
			Emission Statements -
			record keeping
			requirements.
			General Prohibitions
			- air pollution
			prohibited
			General Prohibitions
			- visible emissions
			limited.
			General Prohibitions
			- visible emissions
			limited.
			General Prohibitions
			- visible emissions
			limited.
			Limiting of Opacity
			Control of
			Particulate from New
			and Modified Process
			Emission Sources
			Control of
			Particulate from New
			and Modified Process
			Emission Sources
			Open Fires -
			Prohibitions
			SOLVENT METAL
			CLEANING PROCESSES
			Smoke Emission
			Limitations.
			Shutdown of an
			emission source.
			55 gallons- or 400
			pounds VOC



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2 - PAINT	6NYCRR 228-1.3 (a)	35	Surface Coating General Requirements- Opacity
2 - PAINT	6NYCRR 228-1.3 (b) (1)	36	General Requirements - Record Keeping
2 - PAINT	6NYCRR 228-1.3 (c)	37	Surface Coating General Requirements- Prohibitions
2 - PAINT	6NYCRR 228-1.3 (d)	38	Surface Coating General Requirements- Handling, storage and disposal
2 - PAINT	6NYCRR 228-1.3 (e)	39	Surface Coating - General control requirements (Class A & most B)
2 - PAINT	6NYCRR 228- 1.4 (b) (4) (ii)	40	Misc. metal parts coatingsVOC content limits
2 - PAINT	6NYCRR 231-2	33	New Source Review in Nonattainment Areas and Ozone Transport Region

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

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,



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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 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



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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) (5)

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 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

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 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENdar year.

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



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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, CUMMINS INC - JAMESTOWN ENGINE PLANT has been determined to be subject to the following regulations:

40 CFR Part 60, Subpart IIII

The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

- (i) 2007 or later, for engines that are not fire pump engines;
- (ii) The model year listed in Table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:

- (i) Manufactured after April 1, 2006, and are not fire pump engines, or
- (ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of any stationary CI ICE that are modified or reconstructed after July 11, 2005 and any person that modifies or reconstructs any stationary CI ICE after July 11, 2005.

(4) The provisions of § 60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

40 CFR Part 63, Subpart M M M M

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for miscellaneous metal parts and products surface coating facilities. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations.



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40 CFR Part 63, Subpart P P P P P

This subpart P P P P P establishes national emission standards for hazardous air pollutants (NESHAP) for engine test cells/stands located at major sources of hazardous air pollutants (HAP) emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations contained in this NESHAP.

40 CFR Part 63, Subpart Z Z Z Z Z

Subpart Z Z Z Z Z establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

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)

No facility owner or operator shall 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 212-2.4 (b)

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

6 NYCRR 227-1.3 (a)

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



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6 NYCRR 227-2.5 (d)

Shutdown of an emission source NO_x RACT compliance option.

6 NYCRR 228-1.1 (b) (9)

facility wide use of up to 55 gallons of coatings (or up to 400 pounds of actual VOC usage) on a 12-month rolling total. This exemption is contingent on the owner or operator of the facility maintaining records of such surface coatings, and maintaining compliance with all requirements of section 228-1.3, 'General Requirements', of this Subpart. Mobile equipment repair and refinishing or color matched coating lines do not qualify for this exemption;

6 NYCRR 228-1.3 (a)

This citation prohibits owners or operators of emission sources from allowing emissions to the outdoor atmosphere, which reduce the visibility through the atmosphere by 20 percent or greater for any consecutive six-minute period.

6 NYCRR 228-1.3 (b) (1)

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

6 NYCRR 228-1.3 (c)

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



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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)

(3) Facilities operating a class A coating line or most class B coating lines, as specified in section 228-1.4 of this Subpart must use one or more of the following application techniques to apply the coating:

- (i) flow/curtain coating;
- (ii) dip coating;
- (iii) cotton-tipped swab application;
- (iv) electro-deposition coating;
- (v) high volume low pressure spraying;
- (vi) electrostatic spray;
- (vii) airless spray, (including air assisted);
- (viii) airbrush application methods for stenciling, lettering, and other identification markings; or
- (ix) other coating application methods approved by the department which can demonstrate transfer efficiencies equivalent to or greater than high volume low pressure spray.

6 NYCRR 228-1.4 (b) (4) (ii)

A facility applying miscellaneous metal parts coatings and using compliant coatings as a compliance technique may not use coatings with VOC contents, as applied, which exceed the limits specified in table B4.

6 NYCRR Part 226

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



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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

6 NYCRR Subpart 202-1

This subpart of Part 202 establishes the general criteria for verifying emissions by means of emissions sampling, testing and associated analytical determinations.

6 NYCRR Subpart 231-2

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

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 PPPPP	Engine Test Cells NESHAP
Reason: Cummins is not subject to 40 CFR 63 Subpart P P P P P - National Emission Standards for Hazardous Air Pollutants: Engine Test Cell Stands. The facility is limiting the facility wide total and individual hazardous air pollutant emissions to less than major source thresholds.		
FACILITY	40 CFR Part 63, Subpart WWWWW	Plating and Polishing Operations Area Source NESHAP
Reason: The acid etching processes, PR005 and PR009, are not subject to 40CFR Subpart WWWWW-National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations. According to information supplied by Cummins, the materials used in the etching process do not contain cadmium, chromium, lead, manganese or nickel. The materials used include Anticorit OL 407, GP Ultra, QC RM Acid and Nitric Acid.		
FACILITY	40 CFR Part 63, Subpart XXXXXX	Nine Metal Fabrication and Finishing Area Source NESHAP



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Reason: Cummins is not subject to 40 CFR 63 Subpart XXXXXX - National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories since the facility SIC 3519 is not one of the applicable SIC codes for this regulation.

FACILITY 40 CFR Part 64 COMPLIANCE ASSURANCE
MONITORING

Reason: Cummins does not operate Pollutant Specific Emission Units (PSEU) at a major source that use a control device to achieve compliance with any emission limit or standard. The particulate limit is applicable to each emission point using a control device. The particulate sources which vent to control equipment and through separate emission points do not exceed a pre-control emission rate of 100 tons per year. Therefore, Cummins is not subject to the Compliance Assurance Monitoring (CAM) requirements.

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 CUMMINS INC - JAMESTOWN ENGINE PLANT:

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

7-EMGEN	46	record keeping/maintenance procedures
7-EMGEN	47	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	25	record keeping/maintenance procedures
2-PAINT	33	monitoring of process or control device parameters as surrogate
1-ENGTC	1-1	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
1-ENGTC/-/E01	1-6	monitoring of process or control device parameters as surrogate
1-ENGTC/-/E02	1-7	monitoring of process or control device parameters as surrogate
3-MANUF	1-3	monitoring of process or control device parameters as surrogate
2-PAINT	1-2	monitoring of process or control device parameters as surrogate
3-MANUF	1-4	monitoring of process or control device parameters as surrogate



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-0622-00003/00071

Renewal Number: 2

Modification Number: 1 09/22/2015

3-MANUF	43	record keeping/maintenance procedures
5-HEATG	44	monitoring of process or control device parameters as surrogate
5-HEATG	45	record keeping/maintenance procedures
FACILITY	27	monitoring of process or control device parameters as surrogate
2-PAINT	35	monitoring of process or control device parameters as surrogate
2-PAINT	36	record keeping/maintenance procedures
2-PAINT	40	work practice involving specific operations

Basis for Monitoring

(1) Cummins, Inc., Jamestown Engine Plant operates a diesel engine manufacturing facility located in the City of Lakewood, Chautauqua County, New York. The facility processes include various dry and wet machining, fabricating and washing of diesel engine parts. The engine parts are assembled into complete engines and painted following final assembly. The facility also operates engine test cells for production, research and endurance testing.

(2) The current permit action includes a minor Title V permit modification to install two- new block line washers and two new process heaters with a maximum heat input capacity of 1.7 MMBtu/hr.

(3)The total potential volatile organic compound (VOC) emissions from the new wash lines is 0.5 tons per year. The proposed cleaner contains 73.4 g/L VOC. An Aerscreen impact analysis verified the potential impact from the wash lines does not exceed the corresponding short-term guideline concentrations (SGCs) and/or annual guideline concentrations (AGCs).

(4) Cummins is a major source of nitrogen oxides (NOx) and VOC emissions. The NOx emissions are produced primarily by combustion of diesel fuel in the engine test cells. There are no emission controls on the test cells. The VOC emissions are produced primarily from the surface coating operations which utilize compliant coatings.