



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 3-3313-00013/00027  
Mod 0 Effective Date: 09/13/2004 Expiration Date: No expiration date.  
Mod 1 Effective Date: 07/10/2012 Expiration Date: No expiration date.

Permit Issued To: KOLMAR LABORATORIES INC  
20 WEST KING ST  
PORT JERVIS, NY 12771

Facility: KOLMAR LABORATORIES  
20 WEST KING ST  
PORT JERVIS, NY 12771

Contact: DANE WAGNER  
KOLMAR LABORATORIES  
20 WEST KING ST  
PORT JERVIS, NY 12771  
(845) 856-5311

Description:  
The permit is for the regulation of air emissions from various cosmetic manufacturing and product separation processes at the facility. Applicable requirements include 6NYCRR Parts 200.7, 212.4, and 212.6.

Modification #1 of the permit is for improving emission unit and process descriptions, and for correcting emissions from Emission Unit U-00003.

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

Permit Administrator: KENNETH R GRZYB  
NYSDEC REGION 3  
21 S PUTT CORNERS RD  
NEW PALTZ, NY 12561

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



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
  - Applications for permit renewals, modifications and transfers
  - Applications for Permit Renewals and Modifications
  - Permit modifications, suspensions or revocations by the Department
  - Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

- Submission of Applications for Permit Modification or Renewal-REGION 3 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS



**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

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

**Item 2.1:**

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

**Condition 1-1: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 1-1.1:**

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

**Item 1-1.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 1-1.3:**

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



**Applicable State Requirement: 6 NYCRR 621.13**

**Item 3.1:**

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

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

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

**Condition 1-2: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-2.1:**

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

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

**Condition 4: Permit Modifications, Suspensions and Revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.14**

**Item 4.1:**

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

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



the Department related to the permitted activity.

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

**Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 3  
HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.5 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054

**Condition 1-3: Submission of application for permit modification or  
renewal-REGION 3**

**HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 1-3.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054

**New York State Department of Environmental Conservation**

Permit ID: 3-3313-00013/00027

Facility DEC ID: 3331300013



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

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY  
PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: KOLMAR LABORATORIES INC  
20 WEST KING ST  
PORT JERVIS, NY 12771

Facility: KOLMAR LABORATORIES  
20 WEST KING ST  
PORT JERVIS, NY 12771

Authorized Activity By Standard Industrial Classification Code:  
2844 - TOILET PREPARATIONS

Mod 0 Permit Effective Date: 09/13/2004  
date.

Permit Expiration Date: No expiration

Mod 1 Permit Effective Date: 07/10/2012  
date.

Permit Expiration Date: No expiration



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1-1 6 NYCRR 200.7: Maintenance of Equipment
- 1-2 6 NYCRR 202-1.1: Required Emissions Tests
- 1-3 6 NYCRR 200.7: Compliance Demonstration
- 1-4 6 NYCRR 211.1: Air pollution prohibited
- 3 6 NYCRR 212.4 (c): Compliance Demonstration
- 1-5 6 NYCRR 212.4 (c): Compliance Demonstration
- 2 6 NYCRR 212.6 (a): Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 6 ECL 19-0301: Contaminant List
- 1-6 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 8 6 NYCRR Subpart 201-5: Emission Unit Definition
- 1-7 6 NYCRR 211.2: Visible Emissions Limited

**Emission Unit Level**

- 10 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 11 6 NYCRR Subpart 201-5: Process Definition By Emission Unit





**FEDERALLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications,



required to operate such device effectively.

**Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2**

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

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

An emergency constitutes an affirmative defense to an action brought 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 and/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;
- (3) During the period of the emergency the facility owner and/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 and/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 and/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 F: Recycling and Salvage - 6 NYCRR 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8**

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item J: Required Emission Tests - 6 NYCRR 202-1.1**



An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

**Item K: Open Fires Prohibitions - 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.

**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.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1-1: Maintenance of Equipment**



**Effective between the dates of 07/10/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 1-1.1:**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Condition 1-2: Required Emissions Tests**

**Effective between the dates of 07/10/2012 and Permit Expiration Date**

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

**Item 1-2.1:**

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

**Condition 1-3: Compliance Demonstration**

**Effective between the dates of 07/10/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Replaces Condition(s) 1**

**Item 1-3.1:**

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

Emission Unit: U-00002	Emission Point: EP066
Process: P02	Emission Source: 00E04
Emission Unit: U-00003	Emission Point: EP100
Process: P03	Emission Source: 00E07

**Item 1-3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following must be performed in regard to the dust collectors:

1. The differential pressure shall be read and recorded on a weekly basis; and
2. The filters shall be inspected annually and replaced as necessary. A record shall be kept of when filters are inspected and replaced.

**New York State Department of Environmental Conservation**

Permit ID: 3-3313-00013/00027

Facility DEC ID: 3331300013



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-4: Air pollution prohibited**  
**Effective between the dates of 07/10/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 1-4.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 3: Compliance Demonstration**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.4 (c)**

**Item 3.1:**

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

Emission Unit: U-00004	Emission Point: EP038
Emission Unit: U-00004	Emission Point: EP101
Emission Unit: U-00005	Emission Point: EP102
Emission Unit: U-00006	Emission Point: EP103
Emission Unit: U-00010	Emission Point: EP201
Emission Unit: U-00012	Emission Point: EP204

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

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.05 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of



the Department.

Upper Permit Limit: 0.05 grains per dscf  
Reference Test Method: Method 5  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-5: Compliance Demonstration**  
**Effective between the dates of 07/10/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.4 (c)**

**Replaces Condition(s) 4**

**Item 1-5.1:**

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

Emission Unit: U-00001 Emission Point: EP055

Emission Unit: U-00002 Emission Point: EP066

Emission Unit: U-00003 Emission Point: EP100

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

**Item 1-5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person will cause or allow emissions of solid particulates that exceed 0.05 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry basis. To achieve compliance with this limit, emissions must be directed to a dust collector. Compliance testing will be conducted at the discretion of the Department.

Upper Permit Limit: 0.05 grains per dscf  
Reference Test Method: Method 5  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2: Compliance Demonstration**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.6 (a)**



**Item 2.1:**

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

Emission Unit: U-00001	Emission Point: EP055
Emission Unit: U-00002	Emission Point: EP066
Emission Unit: U-00003	Emission Point: EP100
Emission Unit: U-00004	Emission Point: EP038
Emission Unit: U-00004	Emission Point: EP101
Emission Unit: U-00005	Emission Point: EP102
Emission Unit: U-00006	Emission Point: EP103
Emission Unit: U-00010	Emission Point: EP201
Emission Unit: U-00012	Emission Point: EP204

**Item 2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY





**STATE ONLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

**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.

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**



**Condition 6: Contaminant List**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

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

**Item 6.1:**

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

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

**Condition 1-6: Unavoidable noncompliance and violations**  
**Effective between the dates of 07/10/2012 and Permit Expiration Date**

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

**Replaces Condition(s) 7**

**Item 1-6.1:**

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.



(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 8: Emission Unit Definition**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 8.1(From Mod 1):**

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

Emission Unit: U-00001

Emission Unit Description:

Central housekeeping vacuum at various pickup points for maintaining work areas. A cyclone and dust collector are used to control particulate emissions.

Building(s): B01

**Item 8.2(From Mod 1):**

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

Emission Unit: U-00002

Emission Unit Description:

Induced draft hoods at sixteen press stations for the manufacturing of powder cosmetics in the Powder Manufacturing Area. Emissions are vented to a dust collector located on the exterior of the building.

Building(s): B01

**Item 8.3(From Mod 1):**

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

Emission Unit: U-00003

Emission Unit Description:

Several inlet grilles at various mixers and blenders for the manufacturing of cosmetic powders in the Powder Manufacturing Area. Emissions are vented to a dust collector located on the exterior of the building.



Building(s): B01

**Item 8.4(From Mod 1):**

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

Emission Unit: U-00004

Emission Unit Description:

Exhaust system used to control heat and capture particulates at the station for the pouring and batching of liquid cosmetics in the Explosion Proof Room. The exhaust system also removes odors and petroleum distillates.

Building(s): B01

**Item 8.5(From Mod 1):**

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

Emission Unit: U-00005

Emission Unit Description:

Eight mixing tanks with an exhaust system in the cream make-up manufacturing area.

Building(s): B01

**Item 8.6(From Mod 1):**

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

Emission Unit: U-00006

Emission Unit Description:

Twenty-four manufacturing and mixing tanks with an exhaust in the liquid make-up manufacturing area.

Building(s): B01

**Item 8.7(From Mod 1):**

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

Emission Unit: U-00007

Emission Unit Description:

Six open manufacturing and mixing tanks with an exhaust system in the Agitation / Homogenization Area.

Building(s): B01

**Item 8.8(From Mod 1):**

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

Emission Unit: U-00008

Emission Unit Description:

Three product separation tanks and three waste pretreatment tanks. Three exhaust fans remove heat and nuisance dust.

Building(s): B01

**Item 8.9(From Mod 1):**





**Condition 10: Emission Point Definition By Emission Unit**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 10.1(From Mod 1):**

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

Emission Unit: U-00001

Emission Point: EP055  
Height (ft.): 15 Diameter (in.): 6  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.2(From Mod 1):**

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

Emission Unit: U-00002

Emission Point: EP066  
Height (ft.): 20 Diameter (in.): 22  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.3(From Mod 1):**

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

Emission Unit: U-00003

Emission Point: EP100  
Height (ft.): 18 Length (in.): 33 Width (in.): 40  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.4(From Mod 0):**

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

Emission Unit: U-00004

Emission Point: EP038  
Height (ft.): 24 Diameter (in.): 24  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

Emission Point: EP101  
Height (ft.): 25 Diameter (in.): 24  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.5(From Mod 0):**

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

Emission Unit: U-00005

Emission Point: EP102  
Height (ft.): 21 Diameter (in.): 29



NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.6(From Mod 0):**

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

Emission Unit: U-00006

Emission Point: EP103  
Height (ft.): 24      Diameter (in.): 45  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.7(From Mod 0):**

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

Emission Unit: U-00007

Emission Point: EP104  
Height (ft.): 22      Diameter (in.): 31  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.8(From Mod 0):**

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

Emission Unit: U-00008

Emission Point: EP105  
Height (ft.): 19      Length (in.): 22      Width (in.): 22  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

Emission Point: EP106  
Height (ft.): 19      Length (in.): 22      Width (in.): 22  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

Emission Point: EP107  
Height (ft.): 19      Length (in.): 22      Width (in.): 22  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.9(From Mod 0):**

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

Emission Unit: U-00009

Emission Point: EP200  
Height (ft.): 26      Diameter (in.): 12  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.10(From Mod 0):**

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

Emission Unit: U-00010

Emission Point: EP201



Height (ft.): 30 Diameter (in.): 18  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.11(From Mod 0):**

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

Emission Unit: U-00011

Emission Point: EP203  
Height (ft.): 17 Diameter (in.): 24  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.12(From Mod 0):**

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

Emission Unit: U-00012

Emission Point: EP204  
Height (ft.): 15 Length (in.): 24 Width (in.): 24  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Condition 11: Process Definition By Emission Unit  
Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 11.1(From Mod 1):**

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

Emission Unit: U-00001  
Process: P01  
Process Description:  
Central housekeeping vacuum system to maintain work areas  
and to collect dust particles from the floor.

Emission Source/Control: 00E01 - Control  
Control Type: DYNAMIC SEPARATOR (DRY)

Emission Source/Control: 00E02 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 00E03 - Process

**Item 11.2(From Mod 1):**

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

Emission Unit: U-00002  
Process: P02  
Process Description:  
In the manufacturing of eye shadow powders, talc and  
minor items such as iron oxide, mica, etcetera, are  
pressed into a small pan (one inch by one inch by





one-eighth inch). The excess residue falls off the presses and part of this material is picked up by the induced draft hoods located at the presses.

Emission Source/Control: 00E04 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 00E05 - Process

**Item 11.3(From Mod 1):**

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

Emission Unit: U-00003

Process: P03

Process Description:

In the manufacturing of cosmetic face powder, various mixers and blenders blend ingredients together and presses are used to form them into product.

Emission Source/Control: 00E07 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 00E06 - Process

**Item 11.4(From Mod 1):**

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

Emission Unit: U-00004

Process: P04

Process Description:

In the cosmetic manufacturing area known as the Explosion Proof Room, manufacturing tanks accept and mix ingredients in batch lots.

Emission Source/Control: 00E08 - Process

**Item 11.5(From Mod 1):**

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

Emission Unit: U-00005

Process: P05

Process Description:

During the manufacturing of cream makeup, eight similar manufacturing tanks accept and mix ingredients in batch lots.

Emission Source/Control: 00E09 - Process

**Item 11.6(From Mod 1):**

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

Emission Unit: U-00006



Process: P06

Process Description:

During the manufacturing of liquid makeup, creams, and lotions, twenty-four similar manufacturing tanks accept and mix ingredients into batch lots.

Emission Source/Control: 00E10 - Process

**Item 11.7(From Mod 1):**

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

Emission Unit: U-00007

Process: P07

Process Description:

Viscous cosmetics are manufactured in an area known as Agitation / Homogenization, where ingredients are mixed in six tanks.

Emission Source/Control: 00E11 - Process

**Item 11.8(From Mod 1):**

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

Emission Unit: U-00008

Process: P08

Process Description:

In the wastewater pretreatment area known as product separation, tanks are used to adjust and precipitate solids out of waste water.

Emission Source/Control: 00E12 - Process

Emission Source/Control: 00E13 - Process

Emission Source/Control: 00E14 - Process

**Item 11.9(From Mod 1):**

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

Emission Unit: U-00009

Process: P09

Process Description:

Components of silicone lipstick are heated and mixed in sealed mixing vats. Product is then extracted into molds and removed from the room.

Emission Source/Control: 00E15 - Process

**Item 11.10(From Mod 1):**

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

Emission Unit: U-00010



Process: P10

Process Description:

Components of cosmetic powders are poured, weighed, measured, and combined into batches for further processing elsewhere in the facility.

Emission Source/Control: 00E17 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 00E16 - Process

**Item 11.11(From Mod 1):**

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

Emission Unit: U-00011

Process: P11

Process Description:

Formulation of silicone cosmetics are heated and blended in sealed mixing kettles. Finished product is then extracted into molds and removed from the room.

Emission Source/Control: 00E18 - Process

**Item 11.12(From Mod 1):**

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

Emission Unit: U-00012

Process: P12

Process Description: Mixing of powder cosmetics.

Emission Source/Control: 00E19 - Process





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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 3-3313-00013/00027  
Mod 0 Effective Date: 09/13/2004 Expiration Date: No expiration date.  
Mod 1 Effective Date: 07/10/2012 Expiration Date: No expiration date.

Permit Issued To: KOLMAR LABORATORIES INC  
20 WEST KING ST  
PORT JERVIS, NY 12771

Facility: KOLMAR LABORATORIES  
20 WEST KING ST  
PORT JERVIS, NY 12771

Contact: DANE WAGNER  
KOLMAR LABORATORIES  
20 WEST KING ST  
PORT JERVIS, NY 12771  
(845) 856-5311

Description:  
The permit is for the regulation of air emissions from various cosmetic manufacturing and product separation processes at the facility. Applicable requirements include 6NYCRR Parts 200.7, 212.4, and 212.6.

Modification #1 of the permit is for improving emission unit and process descriptions, and for correcting emissions from Emission Unit U-00003.

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

Permit Administrator: KENNETH R GRZYB  
NYSDEC REGION 3  
21 S PUTT CORNERS RD  
NEW PALTZ, NY 12561

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



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
  - Applications for permit renewals, modifications and transfers
  - Applications for Permit Renewals and Modifications
  - Permit modifications, suspensions or revocations by the Department
  - Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

- Submission of Applications for Permit Modification or Renewal-REGION 3 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS



**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

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

**Item 2.1:**

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

**Condition 1-1: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 1-1.1:**

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

**Item 1-1.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 1-1.3:**

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

GENERAL CONDITIONS FOR PERMITS FOR THE CONSTRUCTION AND OPERATION OF FACILITIES





**Applicable State Requirement: 6 NYCRR 621.13**

**Item 3.1:**

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

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

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

**Condition 1-2: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-2.1:**

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

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

**Condition 4: Permit Modifications, Suspensions and Revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.14**

**Item 4.1:**

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

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



the Department related to the permitted activity.

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

**Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 3  
HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.5 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054

**Condition 1-3: Submission of application for permit modification or  
renewal-REGION 3**

**HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 1-3.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054

**New York State Department of Environmental Conservation**

Permit ID: 3-3313-00013/00027

Facility DEC ID: 3331300013



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

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY  
PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: KOLMAR LABORATORIES INC  
20 WEST KING ST  
PORT JERVIS, NY 12771

Facility: KOLMAR LABORATORIES  
20 WEST KING ST  
PORT JERVIS, NY 12771

Authorized Activity By Standard Industrial Classification Code:  
2844 - TOILET PREPARATIONS

Mod 0 Permit Effective Date: 09/13/2004  
date.

Permit Expiration Date: No expiration

Mod 1 Permit Effective Date: 07/10/2012  
date.

Permit Expiration Date: No expiration



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1-1 6 NYCRR 200.7: Maintenance of Equipment
- 1-2 6 NYCRR 202-1.1: Required Emissions Tests
- 1-3 6 NYCRR 200.7: Compliance Demonstration
- 1-4 6 NYCRR 211.1: Air pollution prohibited
- 3 6 NYCRR 212.4 (c): Compliance Demonstration
- 1-5 6 NYCRR 212.4 (c): Compliance Demonstration
- 2 6 NYCRR 212.6 (a): Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 6 ECL 19-0301: Contaminant List
- 1-6 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 8 6 NYCRR Subpart 201-5: Emission Unit Definition
- 1-7 6 NYCRR 211.2: Visible Emissions Limited

**Emission Unit Level**

- 10 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 11 6 NYCRR Subpart 201-5: Process Definition By Emission Unit



**FEDERALLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications,



required to operate such device effectively.

**Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2**

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

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

An emergency constitutes an affirmative defense to an action brought 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 and/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;
- (3) During the period of the emergency the facility owner and/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 and/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 and/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 F: Recycling and Salvage - 6 NYCRR 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8**

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item J: Required Emission Tests - 6 NYCRR 202-1.1**



An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

**Item K: Open Fires Prohibitions - 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.

**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.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1-1: Maintenance of Equipment**





**Effective between the dates of 07/10/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 1-1.1:**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Condition 1-2: Required Emissions Tests**

**Effective between the dates of 07/10/2012 and Permit Expiration Date**

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

**Item 1-2.1:**

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

**Condition 1-3: Compliance Demonstration**

**Effective between the dates of 07/10/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Replaces Condition(s) 1**

**Item 1-3.1:**

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

Emission Unit: U-00002	Emission Point: EP066
Process: P02	Emission Source: 00E04
Emission Unit: U-00003	Emission Point: EP100
Process: P03	Emission Source: 00E07

**Item 1-3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following must be performed in regard to the dust collectors:

1. The differential pressure shall be read and recorded on a weekly basis; and
2. The filters shall be inspected annually and replaced as necessary. A record shall be kept of when filters are inspected and replaced.

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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-4: Air pollution prohibited**  
**Effective between the dates of 07/10/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 1-4.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 3: Compliance Demonstration**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.4 (c)**

**Item 3.1:**

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

Emission Unit: U-00004	Emission Point: EP038
Emission Unit: U-00004	Emission Point: EP101
Emission Unit: U-00005	Emission Point: EP102
Emission Unit: U-00006	Emission Point: EP103
Emission Unit: U-00010	Emission Point: EP201
Emission Unit: U-00012	Emission Point: EP204

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

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.05 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of



the Department.

Upper Permit Limit: 0.05 grains per dscf  
Reference Test Method: Method 5  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-5: Compliance Demonstration**  
**Effective between the dates of 07/10/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.4 (c)**

**Replaces Condition(s) 4**

**Item 1-5.1:**

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

Emission Unit: U-00001 Emission Point: EP055

Emission Unit: U-00002 Emission Point: EP066

Emission Unit: U-00003 Emission Point: EP100

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

**Item 1-5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person will cause or allow emissions of solid particulates that exceed 0.05 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry basis. To achieve compliance with this limit, emissions must be directed to a dust collector. Compliance testing will be conducted at the discretion of the Department.

Upper Permit Limit: 0.05 grains per dscf  
Reference Test Method: Method 5  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2: Compliance Demonstration**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.6 (a)**



**Item 2.1:**

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

Emission Unit: U-00001	Emission Point: EP055
Emission Unit: U-00002	Emission Point: EP066
Emission Unit: U-00003	Emission Point: EP100
Emission Unit: U-00004	Emission Point: EP038
Emission Unit: U-00004	Emission Point: EP101
Emission Unit: U-00005	Emission Point: EP102
Emission Unit: U-00006	Emission Point: EP103
Emission Unit: U-00010	Emission Point: EP201
Emission Unit: U-00012	Emission Point: EP204

**Item 2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**STATE ONLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

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

**Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

**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.

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**



**Condition 6: Contaminant List**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

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

**Item 6.1:**

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

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

**Condition 1-6: Unavoidable noncompliance and violations**  
**Effective between the dates of 07/10/2012 and Permit Expiration Date**

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

**Replaces Condition(s) 7**

**Item 1-6.1:**

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.



(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 8: Emission Unit Definition**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 8.1(From Mod 1):**

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

Emission Unit: U-00001

Emission Unit Description:

Central housekeeping vacuum at various pickup points for maintaining work areas. A cyclone and dust collector are used to control particulate emissions.

Building(s): B01

**Item 8.2(From Mod 1):**

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

Emission Unit: U-00002

Emission Unit Description:

Induced draft hoods at sixteen press stations for the manufacturing of powder cosmetics in the Powder Manufacturing Area. Emissions are vented to a dust collector located on the exterior of the building.

Building(s): B01

**Item 8.3(From Mod 1):**

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

Emission Unit: U-00003

Emission Unit Description:

Several inlet grilles at various mixers and blenders for the manufacturing of cosmetic powders in the Powder Manufacturing Area. Emissions are vented to a dust collector located on the exterior of the building.



Building(s): B01

**Item 8.4(From Mod 1):**

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

Emission Unit: U-00004

Emission Unit Description:

Exhaust system used to control heat and capture particulates at the station for the pouring and batching of liquid cosmetics in the Explosion Proof Room. The exhaust system also removes odors and petroleum distillates.

Building(s): B01

**Item 8.5(From Mod 1):**

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

Emission Unit: U-00005

Emission Unit Description:

Eight mixing tanks with an exhaust system in the cream make-up manufacturing area.

Building(s): B01

**Item 8.6(From Mod 1):**

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

Emission Unit: U-00006

Emission Unit Description:

Twenty-four manufacturing and mixing tanks with an exhaust in the liquid make-up manufacturing area.

Building(s): B01

**Item 8.7(From Mod 1):**

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

Emission Unit: U-00007

Emission Unit Description:

Six open manufacturing and mixing tanks with an exhaust system in the Agitation / Homogenization Area.

Building(s): B01

**Item 8.8(From Mod 1):**

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

Emission Unit: U-00008

Emission Unit Description:

Three product separation tanks and three waste pretreatment tanks. Three exhaust fans remove heat and nuisance dust.

Building(s): B01

**Item 8.9(From Mod 1):**



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

Emission Unit: U-00009

Emission Unit Description:

Six vacuum pickup points from various silicone manufacturing workstations.

Building(s): B01

**Item 8.10(From Mod 1):**

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

Emission Unit: U-00010

Emission Unit Description:

Multiple component weighing and measuring stations in the Pre-Weigh Area. Emissions are vented to a fabric dust collection system located on the exterior of the building.

Building(s): B01

**Item 8.11(From Mod 1):**

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

Emission Unit: U-00011

Emission Unit Description:

Closed mixing vats in the Explosion Proof Room with exhaust inlets to remove silicone vapor.

Building(s): B01

**Item 8.12(From Mod 1):**

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

Emission Unit: U-00012

Emission Unit Description:

Pilot laboratory with multiple exhaust pickup points above the mixing vats to collect dust particles.

Building(s): B01

**Condition 1-7: Visible Emissions Limited**  
**Effective between the dates of 07/10/2012 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 1-7.1:**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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



**Condition 10: Emission Point Definition By Emission Unit**  
**Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 10.1(From Mod 1):**

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

Emission Unit: U-00001

Emission Point: EP055  
Height (ft.): 15 Diameter (in.): 6  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.2(From Mod 1):**

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

Emission Unit: U-00002

Emission Point: EP066  
Height (ft.): 20 Diameter (in.): 22  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.3(From Mod 1):**

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

Emission Unit: U-00003

Emission Point: EP100  
Height (ft.): 18 Length (in.): 33 Width (in.): 40  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.4(From Mod 0):**

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

Emission Unit: U-00004

Emission Point: EP038  
Height (ft.): 24 Diameter (in.): 24  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

Emission Point: EP101  
Height (ft.): 25 Diameter (in.): 24  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.5(From Mod 0):**

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

Emission Unit: U-00005

Emission Point: EP102  
Height (ft.): 21 Diameter (in.): 29



NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.6(From Mod 0):**

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

Emission Unit: U-00006

Emission Point: EP103  
Height (ft.): 24      Diameter (in.): 45  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.7(From Mod 0):**

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

Emission Unit: U-00007

Emission Point: EP104  
Height (ft.): 22      Diameter (in.): 31  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.8(From Mod 0):**

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

Emission Unit: U-00008

Emission Point: EP105  
Height (ft.): 19      Length (in.): 22      Width (in.): 22  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

Emission Point: EP106  
Height (ft.): 19      Length (in.): 22      Width (in.): 22  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

Emission Point: EP107  
Height (ft.): 19      Length (in.): 22      Width (in.): 22  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.9(From Mod 0):**

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

Emission Unit: U-00009

Emission Point: EP200  
Height (ft.): 26      Diameter (in.): 12  
NYTMN (km.): 4580.2      NYTME (km.): 525.4      Building: B01

**Item 10.10(From Mod 0):**

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

Emission Unit: U-00010

Emission Point: EP201



Height (ft.): 30 Diameter (in.): 18  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.11(From Mod 0):**

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

Emission Unit: U-00011

Emission Point: EP203  
Height (ft.): 17 Diameter (in.): 24  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Item 10.12(From Mod 0):**

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

Emission Unit: U-00012

Emission Point: EP204  
Height (ft.): 15 Length (in.): 24 Width (in.): 24  
NYTMN (km.): 4580.2 NYTME (km.): 525.4 Building: B01

**Condition 11: Process Definition By Emission Unit  
Effective between the dates of 09/13/2004 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 11.1(From Mod 1):**

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

Emission Unit: U-00001  
Process: P01  
Process Description:  
Central housekeeping vacuum system to maintain work areas  
and to collect dust particles from the floor.

Emission Source/Control: 00E01 - Control  
Control Type: DYNAMIC SEPARATOR (DRY)

Emission Source/Control: 00E02 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 00E03 - Process

**Item 11.2(From Mod 1):**

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

Emission Unit: U-00002  
Process: P02  
Process Description:  
In the manufacturing of eye shadow powders, talc and  
minor items such as iron oxide, mica, etcetera, are  
pressed into a small pan (one inch by one inch by



one-eighth inch). The excess residue falls off the presses and part of this material is picked up by the induced draft hoods located at the presses.

Emission Source/Control: 00E04 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 00E05 - Process

**Item 11.3(From Mod 1):**

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

Emission Unit: U-00003

Process: P03

Process Description:

In the manufacturing of cosmetic face powder, various mixers and blenders blend ingredients together and presses are used to form them into product.

Emission Source/Control: 00E07 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 00E06 - Process

**Item 11.4(From Mod 1):**

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

Emission Unit: U-00004

Process: P04

Process Description:

In the cosmetic manufacturing area known as the Explosion Proof Room, manufacturing tanks accept and mix ingredients in batch lots.

Emission Source/Control: 00E08 - Process

**Item 11.5(From Mod 1):**

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

Emission Unit: U-00005

Process: P05

Process Description:

During the manufacturing of cream makeup, eight similar manufacturing tanks accept and mix ingredients in batch lots.

Emission Source/Control: 00E09 - Process

**Item 11.6(From Mod 1):**

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

Emission Unit: U-00006



Process: P06

Process Description:

During the manufacturing of liquid makeup, creams, and lotions, twenty-four similar manufacturing tanks accept and mix ingredients into batch lots.

Emission Source/Control: 00E10 - Process

**Item 11.7(From Mod 1):**

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

Emission Unit: U-00007

Process: P07

Process Description:

Viscous cosmetics are manufactured in an area known as Agitation / Homogenization, where ingredients are mixed in six tanks.

Emission Source/Control: 00E11 - Process

**Item 11.8(From Mod 1):**

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

Emission Unit: U-00008

Process: P08

Process Description:

In the wastewater pretreatment area known as product separation, tanks are used to adjust and precipitate solids out of waste water.

Emission Source/Control: 00E12 - Process

Emission Source/Control: 00E13 - Process

Emission Source/Control: 00E14 - Process

**Item 11.9(From Mod 1):**

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

Emission Unit: U-00009

Process: P09

Process Description:

Components of silicone lipstick are heated and mixed in sealed mixing vats. Product is then extracted into molds and removed from the room.

Emission Source/Control: 00E15 - Process

**Item 11.10(From Mod 1):**

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

Emission Unit: U-00010



Process: P10

Process Description:

Components of cosmetic powders are poured, weighed, measured, and combined into batches for further processing elsewhere in the facility.

Emission Source/Control: 00E17 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 00E16 - Process

**Item 11.11(From Mod 1):**

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

Emission Unit: U-00011

Process: P11

Process Description:

Formulation of silicone cosmetics are heated and blended in sealed mixing kettles. Finished product is then extracted into molds and removed from the room.

Emission Source/Control: 00E18 - Process

**Item 11.12(From Mod 1):**

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

Emission Unit: U-00012

Process: P12

Process Description: Mixing of powder cosmetics.

Emission Source/Control: 00E19 - Process

