

Facility DEC ID: 4010300057

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 4-0103-00057/00002  
Effective Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Permit Issued To: SHELTER ENTERPRISES INC  
8 SARATOGA ST  
PO BOX 618  
COHOES, NY 12047

Contact: JEFFOREY MYERS  
PO BOX 608  
COHOES, NY 12047-0608

Facility: SHELTER ENTERPRISES INC  
8 SARATOGA ST  
COHOES, NY 12047

Description:  
This application is being submitted to renew the State Facility Permit for the facility with no changes being sought as part of this application.

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: PATRICIA M GABRIEL  
NYSDEC - REGION 4  
1130 N WESTCOTT RD  
SCHENECTADY, NY 12306-2014

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

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### 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.

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- 4 3 Applications for permit renewals, modifications and transfers
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**Facility Level**

- 5 5 Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS

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**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 3: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3**

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

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**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 4 Headquarters  
Division of Environmental Permits  
1130 North Westcott Rd.  
Schenectady, NY 12306-2014  
(518) 357-2069

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

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: SHELTER ENTERPRISES INC  
8 SARATOGA ST  
PO BOX 618  
COHOES, NY 12047

Facility: SHELTER ENTERPRISES INC  
8 SARATOGA ST  
COHOES, NY 12047

Authorized Activity By Standard Industrial Classification Code:  
3086 - PLASTICS FOAM PRODUCTS  
2452 - PREFABRICATED WOOD BUILDINGS

Permit Effective Date:

Permit Expiration Date:

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**FEDERALLY ENFORCEABLE CONDITIONS**

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- 7 3 6 NYCRR 211.2: Visible Emissions Limited
- 8 4 6 NYCRR 212-1.7 (a): Compliance Demonstration
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- 9 6 6 NYCRR Subpart 212-2: Compliance Demonstration
- 9 7 6 NYCRR 212-3.1 (b): Saving provision for the initial VOC/NOX Ract plan
- 10 8 6 NYCRR 212-3.1 (e): "Once in always in" provision

**Emission Unit Level**

- 10 9 6 NYCRR 201-7.1: Emission Unit Permissible Emissions

**EU=A-00001**

- 11 10 6 NYCRR 212-3.1 (c) (4) (i): Capture and Control Requirements

**STATE ONLY ENFORCEABLE CONDITIONS**

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- 13 11 ECL 19-0301: Contaminant List
- 13 12 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 14 13 6 NYCRR 201-1.4 (c): Compliance Demonstration
- 15 14 6 NYCRR Subpart 201-5: Emission Unit Definition
- 16 15 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 16 16 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 16 17 6 NYCRR 211.1: Air pollution prohibited

**Emission Unit Level**

- 17 18 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 17 19 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.

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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 1/DRAFT

\*\*\*\* 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,



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required to operate such device effectively.

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

(a) Except as otherwise provided by this Part, construction or operation of a new, modified or existing air contamination source without a registration or permit issued pursuant to this Part is prohibited.

(b) If an existing facility or emission source was subject to the permitting requirements of this Part at the time of construction or modification, and the owner or operator failed to apply for a permit or registration as described in this Part, the owner or operator must apply for a permit or registration in accordance with the provisions of this Part. The facility or emission source is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing emission sources.

**Item E: 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 F: 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 G: 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 H: Proof of Eligibility for Sources Defined as Trivial**

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**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 I: 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 J: 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 K: Permit Exclusion - ECL 19-0305**

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

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

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

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

**Item 1.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

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

PTE: 99,000 pounds per year

**Condition 2: Capping Monitoring Condition**  
**Effective for entire length of Permit**

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

**Item 2.1:**

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

6 NYCRR Subpart 201-6

**Item 2.2:**

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

**Item 2.3:**

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



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average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Condition 4: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 212-1.7 (a)**

**Item 4.1:**

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

Emission Unit: A-00001

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

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

An intermittent emission test shall be performed once every five years on the regenerative thermal oxidizer (RTO). This test shall verify manufacturer's guarantee for VOC (Volatile Organic Compound) 95% destruction efficiency and ensure compliance with caps taken at the facility.

The stack test protocol and results shall be submitted in accordance with 6 NYCRR 202-1.

The methods of testing shall be done in accordance with 40 CFR 60 Appendix A. Results of the testing will also determine the minimum operating temperature of the RTO to ensure 95% destruction efficiency.

Parameter Monitored: VOC

Lower Permit Limit: 95 percent reduction by weight

Reference Test Method: Method 25A (or other NYSDEC approved method)

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

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

**Applicable Federal Requirement: 6 NYCRR 212-1.7 (b)**

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**Item 5.1:**

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

Emission Unit: A-00001

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The thermal oxidizer will be operated to maintain a minimum destruction removal efficiency of 95%. The oxidation chamber temperature will be monitored and maintained at a temperature of no less than 1500 degrees Fahrenheit. The bed temperature will not fall below 1500 degrees Fahrenheit except during startup and shutdown.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1500 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Applicable Federal Requirement:6 NYCRR Subpart 212-2**

**Item 6.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions that exceed the applicable permissible emission rates as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 7: Saving provision for the initial VOC/NOX Ract plan**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 212-3.1 (b)**

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**Item 7.1:**

Owners and/or operators of emission points subject to this Part that emit NOx or VOCs located at facilities described in Subdivision (a) of this Section must submit a compliance plan to the department by October 20, 1994. The compliance plan must either include the RACT analysis required by Subdivision (c) of this Section or a plan to limit the annual potential to emit below the applicability levels pursuant to Subdivision (d) of this Section.

These provisions are maintained based on 212-1.1(b)

Any emission limitation or other requirements in effect prior to the effective date of this Part shall remain in effect until issuance of a modified permit or registration or renewal of the permit or registration.

**Condition 8: "Once in always in" provision  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 212-3.1 (e)**

**Item 8.1:**

Any facility that is subject to 6 NYCRR 212-3.1 requirements after May 31, 1995 will remain subject to these provisions even if the annual potential to emit NOx or VOCs later fall below the applicability threshold.

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

**Condition 9: Emission Unit Permissible Emissions  
Effective for entire length of Permit**

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

**Item 9.1:**

The sum of emissions from all regulated processes specified in this permit for the emission unit cited

shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: A-00001

CAS No: 0NY998-00-0

Name: VOC

PTE(s): 47.6 pounds per hour

99,000 pounds per year

**Condition 10: Capture and Control Requirements**

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**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 212-3.1 (c) (4) (i)**

**Item 10.1:**

This Condition applies to Emission Unit: A-00001

**Item 10.2:**

VOC emission points that are equipped with a capture system and a control device with an overall removal efficiency of at least 81 percent are equipped with reasonably available control technology.

Based on Section 212-1.1(b) Applicability.

Any emission limitation or other requirements in effect prior to the effective date of this Part shall remain in effect until issuance of a modified permit or registration or renewal of the permit or registration.



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**STATE ONLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

An emergency, as defined in 6 NYCRR subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

(1) an emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;

(2) the equipment at the facility was being properly operated and maintained;

(3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the levels of emissions that exceeded the emission standards, or other requirements in the permit; and

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

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

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

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

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance

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with 6 NYCRR Part 616 - Public Access to Records.  
 Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

**Item C: 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 11: Contaminant List  
 Effective for entire length of Permit**

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

**Item 11.1:**

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

CAS No: 0NY998-00-0

Name: VOC

**Condition 12: Malfunctions and Start-up/Shutdown Activities  
 Effective for entire length of Permit**

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

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**Item 12.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment maintenance and start-up/shutdown activities when they are expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when required by a permit condition or upon request by the department. Such reports shall state whether an exceedance occurred and if it was unavoidable, include the time, frequency and duration of the exceedance, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous monitoring and quarterly reporting requirements need not submit additional reports of exceedances to the department.

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, the air contaminants emitted, and the resulting emission rates and/or opacity.

(d) The department may also require the facility owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 13: Compliance Demonstration  
Effective for entire length of Permit****Applicable State Requirement: 6 NYCRR 201-1.4 (c)****Item 13.1:**

The Compliance Demonstration activity will be performed for the Facility.

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

**Item 13.2:**

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Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility’s air pollution control device is equipped with an emergency bypass valve which under a high temperature emergency condition will completely open and introduce outside air into the control device to cool the system. During this event, simultaneously the fumes inlet damper will close the main piping to the control unit, while the fresh air and exhaust dampers will open and divert the suction of main blower to pull fresh air from atmosphere to the control unit.

Each time the bypass opens and diverts process emissions from the RTO in the above manner, a record of the event must be created.

The facility owner or operator shall notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the bypass occurred. This notification maybe submitted by email to RAPCE.R4@dec.ny.gov and assigned region-4 staff. In addition, the facility owner or operator shall compile and maintain a record of all bypass events. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. When requested by the department, the facility owner or operator shall submit a written report to the department describing the bypass, the corrective action taken, the air contaminants emitted, and the resulting estimated emission rates and/or opacity.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 14: Emission Unit Definition  
Effective for entire length of Permit**

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

**Item 14.1:**

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

Emission Unit: A-00001

Emission Unit Description:

Operation of an expanded polystyrene foam molding process line. The process essentially takes place in three steps consisting of Expansion, Aging and Molding. An emission

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control system (RTO) is in place to capture and control emissions of pentane from production equipment involved in these three steps of the process.

Building(s): MAIN

**Condition 15: Renewal deadlines for state facility permits  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 201-5.2 (c)**

**Item 15.1:**

The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Condition 16: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 201-5.3 (c)**

**Item 16.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 16.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 4  
1130 N. Westcott Rd.  
Schenectady, NY 12306

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

**Condition 17: Air pollution prohibited  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 17.1:**

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

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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.

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

**Condition 18: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 18.1:**

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

Emission Unit: A-00001

Emission Point: RTO01

Height (ft.): 41 Diameter (in.): 20

NYTMN (km.): 4736.837 NYTME (km.): 606.555

**Condition 19: Process Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 19.1:**

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

Emission Unit: A-00001

Process: 001

Source Classification Code: 3-08-008-01

Process Description:

Operation of an expanded polystyrene foam production line. Starting with polystyrene plastic beads that are fed into an expander where the bead is heated with steam and expand to the density required by the final foam product. The expanded beads or prepuff are then aged for 8-24 hours in 10 mesh storage bags to stabilize them prior to molding. The prepuff particles are then fed into a mold where the particles are fused together with steam into a block shaped product. Foam blocks are then cut into various dimensions for packaging and insulation materials using a heated wire cutting machine.

Emission Source/Control: OXIDI - Control

Control Type: THERMAL OXIDATION

Emission Source/Control: EXPAN - Process

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Emission Source/Control: MOLDI - Process

Emission Source/Control: PUFFA - Process

Emission Source/Control: STORA - Process

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