



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 4-1048-00018/00005  
Mod 0 Effective Date: 07/09/1999 Expiration Date: No expiration date.  
Mod 1 Effective Date: 04/27/2004 Expiration Date: No expiration date.  
Mod 2 Effective Date: 05/25/2012 Expiration Date: No expiration date.

Permit Issued To: WASTEQUIP MANUFACTURING COMPANY LLC  
1901 ROXBOROUGH RD STE 300  
CHARLOTTE, NC 28211

Contact: PAUL FITZGERALD  
WASTEQUIP / CONFAB  
1079 US RTE 20  
NEW LEBANON, NY 12125  
(518) 794-6321

Facility: WASTEQUIP / CONFAB  
1079 US RTE 20  
NEW LEBANON, NY 12125

Description:  
WasteQuip manufactures metal waste containers. The container is constructed from sheet steel which is shaped, welded and coated into the final product. The facility is subject to 6 NYCRR Part 228 and is capped out of Title V by limiting VOC to less than 50 tons per year.

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: MICHAEL T HIGGINS  
DIVISION OF ENVIRONMENTAL PERMITS  
1130 N WESTCOTT RD  
SCHENECTADY, NY 12306-2014

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
  - Permit modifications, suspensions or revocations by the Department
  - Applications for Permit Renewals and Modifications
  - Permit Modifications, Suspensions, and Revocations by the Department

**Facility Level**

- Submission of application for permit modification or renewal-REGION 4 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 2-1: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 2-1.1:**

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 2-1.2:**

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 2-1.3:**

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.



**Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 2-2.1:**

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 3: Applications for Permit Renewals and Modifications**

**Applicable State Requirement: 6 NYCRR 621.13 (a)**

**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.

**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. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

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

**Condition 2-3: Submission of application for permit modification or**



**HEADQUARTERS**

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

**Item 2-3.1:**

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

**New York State Department of Environmental Conservation**

Permit ID: 4-1048-00018/00005

Facility DEC ID: 4104800018



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: WASTEQUIP MANUFACTURING COMPANY LLC  
1901 ROXBOROUGH RD STE 300  
CHARLOTTE, NC 28211

Facility: WASTEQUIP / CONFAB  
1079 US RTE 20  
NEW LEBANON, NY 12125

Authorized Activity By Standard Industrial Classification Code:  
3499 - FABRICATED METAL PRODUCTS, NEC

Mod 0 Permit Effective Date: 07/09/1999  
date.

Permit Expiration Date: No expiration

Mod 1 Permit Effective Date: 04/27/2004  
date.

Permit Expiration Date: No expiration

Mod 2 Permit Effective Date: 05/25/2012  
date.

Permit Expiration Date: No expiration



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 2-1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2-2 6 NYCRR 215.2: Open Fires - Prohibitions
- 2-3 6 NYCRR 200.7: Maintenance of Equipment
- 2-4 6 NYCRR 201-1.7: Recycling and Salvage
- 2-5 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 2-6 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 2-7 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 2-8 6 NYCRR 202-1.1: Required Emissions Tests
- 2-9 6 NYCRR 201-3.1 (a): Exempt and Trivial Activities Applicability
- 2-10 6 NYCRR 201-7.1: Facility Permissible Emissions
- 2-11 6 NYCRR 211.1: Air pollution prohibited

#### Emission Unit Level

- 2-12 6 NYCRR 201-7.1: Emission Unit Permissible Emissions

#### EU=A-00001

- \*2-13 6 NYCRR 201-7.1: Capping Monitoring Condition
- \*2-14 6 NYCRR 201-7.1: Capping Monitoring Condition
- 2-15 6 NYCRR 228-1.3 (a): Recordkeeping, Reports of VOCs - EU Level
- 2-16 6 NYCRR 228-1.5 (a): Compliance Demonstration
- 2-17 6 NYCRR 228-1.5 (d): Department access to obtain samples.
- 2-18 6 NYCRR 228-1.10: Compliance Demonstration

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 2-19 ECL 19-0301: Contaminant List
- 2-20 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 2-21 6 NYCRR Subpart 201-5: Emission Unit Definition
- 2-22 6 NYCRR 211.2: Visible Emissions Limited

#### Emission Unit Level

#### EU=A-00001

- 2-23 6 NYCRR Subpart 201-5: General Provisions
- 2-24 6 NYCRR Subpart 201-5: Process Definition By Emission Unit
- 2-25 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.





**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 2-1: Acceptable Ambient Air Quality**



**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 2-1.1:**

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.

**Condition 2-2: Open Fires - Prohibitions**

**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 2-2.1:**

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

**Item 2-2.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit



toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.

(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.

(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**Condition 2-3: Maintenance of Equipment**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 2-3.1:**

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 2-4: Recycling and Salvage**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 2-4.1:**

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 the ECL.

**Condition 2-5: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 2-5.1:**

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.

**Condition 2-6: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)**

**Item 2-6.1:**

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 this Subpart. 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 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.

**Condition 2-7: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-3.3 (a)**

**Item 2-7.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 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.

**Condition 2-8: Required Emissions Tests**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

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

**Item 2-8.1:**

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 2-9: Exempt and Trivial Activities Applicability**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-3.1 (a)**

**Item 2-9.1:**

If the facility owner and/or operator performs any of the exempt and trivial activities listed in 6 NYCRR Part 201-3.2(c) or 201-3.3(c), such activities are exempt from the permitting provisions of 6 NYCRR Part 201-5, but not from other Parts of 6 NYCRR Chapter III, or from applicable permitting requirements of local air pollution control agencies.

**Condition 2-10: Facility Permissible Emissions**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

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

**Item 2-10.1:**

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:



per year CAS No: 0NY100-00-0 (From Mod 2) PTE: 49,990 pounds  
Name: HAP  
per year CAS No: 0NY998-00-0 (From Mod 2) PTE: 99,990 pounds  
Name: VOC

**Condition 2-11: Air pollution prohibited**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 2-11.1:**

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.

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

**Condition 2-12: Emission Unit Permissible Emissions**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

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

**Item 2-12.1:**

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: 0NY998000 (From Mod 2)  
Name: VOC  
PTE(s): 36.3 pounds per hour  
99,990 pounds per year

CAS No: 0NY100000 (From Mod 2)  
Name: HAP  
PTE(s): 33.7 pounds per hour  
49,990 pounds per year

**Condition 2-13: Capping Monitoring Condition**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**





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

**Item 2-13.1:**

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 2-13.2:**

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

**Item 2-13.3:**

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 other state and federal air pollution control requirements, regulations or law.

**Item 2-13.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 2-13.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 2-13.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 2-13.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This facility is capping out of 6 NYCRR Part 201-6 by limiting VOC emissions to quantity less than 50 tons per year. The facility will keep records and report on all



VOC emissions from the facility including but not limited to: cleaners, primers, solvents and coatings. Emission data will be sourced from MSDSs and used to calculate actual emissions. The facility will employ best management practices with regards to storing, handling, applying and disposing of all VOCs.

Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2013.  
Subsequent reports are due every 12 calendar month(s).

**Condition 2-14: Capping Monitoring Condition**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

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

**Item 2-14.1:**

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 201-6.1

**Item 2-14.2:**

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

**Item 2-14.3:**

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 other state and federal air pollution control requirements, regulations or law.

**Item 2-14.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 2-14.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

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**Item 2-14.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001

Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP

**Item 2-14.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility will keep records and report on all HAP emissions from the facility including but not limited to: cleaners, primers, solvents and coatings. Emission data will be sourced from MSDSs and used to calculate actual emissions. The facility will employ best management practices with regards to storing, handling, applying and disposing of HAPs.

The facility will not emit more than 10 tons/year of any single HAP or 25 tons/year of total HAPs.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

**Condition 2-15: Recordkeeping, Reports of VOCs - EU Level**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 228-1.3 (a)**

**Item 2-15.1:**

This Condition applies to Emission Unit: A-00001

**Item 2-15.2:** Use of coatings that exceed the maximum permitted pounds of VOC per gallon, minus water and excluded VOC at application specified in table 1 of section 228-1.7 or table 2 of section 228-1.8 of 6 NYCRR Part 228-1 is prohibited.

**Condition 2-16: Compliance Demonstration**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 228-1.5 (a)**

**Item 2-16.1:**

The Compliance Demonstration activity will be performed for:

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Emission Unit: A-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 2-16.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any emission source subject to 6NYCRR Part 228-1 must maintain and, upon request, provide the Department with a certification from the coating supplier/manufacture which verifies the parameters used to determine the actual VOC content of each as applied coating, (VOC)a, used at the facility. In addition, purchase, usage and/or production records of the coating material, including solvents, must be maintained in a format acceptable to the Department and, upon request, these records must be submitted to the Department. Any facility required to perform the overall removal efficiency calculation, must maintain records to verify the parameters used in the calculation. A facility owner or operator must maintain a record that identifies each air cleaning device that has an overall removal efficiency of at least 85 percent. Any additional information required to determine compliance must be provided to the Department in a format acceptable to the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

**Condition 2-17: Department access to obtain samples.**

**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 228-1.5 (d)**

**Item 2-17.1:**

This Condition applies to Emission Unit: A-00001

**Item 2-17.2:**

Representatives of the Department must be permitted during reasonable business hours, to obtain coating samples for the purpose of determining compliance with 6NYCRR Part 228-1.

**Condition 2-18: Compliance Demonstration**

**Effective between the dates of 05/25/2012 and Permit Expiration Date**



**Applicable Federal Requirement:6 NYCRR 228-1.10**

**Item 2-18.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: A-00001

**Item 2-18.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Within the work area(s) associated with a coating line, the owner or operator of a facility subject to this Part must:

- (a) use closed, non-leaking containers to store or dispose of cloth or other absorbent applicators impregnated with VOC solvents that are used for surface preparation, cleanup or coating removal;
- (b) store in closed, non-leaking containers spent or fresh VOC solvents to be used for surface preparation, cleanup or coating removal;
- (c) not use VOC solvents to cleanup spray equipment unless equipment is used to collect the cleaning compounds and to minimize VOC evaporation;
- (d) not use open containers to store or dispense surface coatings and/or inks unless production, sampling, maintenance or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purpose of applying a coating material to a substrate. These devices may include, but are not limited to: spray guns, flow coaters, dip tanks, rollers, knife coaters, and extrusion coaters;
- (e) not use open containers to store or dispose of spent surface coatings, or spent VOC solvents;
- (f) minimize spills during the handling and transfer of coatings and VOC solvents; and
- (g) beginning on January 1, 2005, clean spray guns used to apply mobile equipment repair and refinishing or color-matched coatings by one of the following:
  - (1) an enclosed spray gun cleaning system that is kept closed when not in use;
  - (2) non-atomized discharge of VOC solvent into a paint waste container that is kept closed when not in use;
  - (3) disassembling and cleaning of the spray gun in a vat that is kept closed when not in use; or
  - (4) atomized spray into a paint waste container that is fitted with a device designed to capture atomized VOC solvent emissions.

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Open containers, if found, shall be covered and such deviations shall be noted in a log maintained in the operating area. The log shall include the following information:

- date and time of observation
- description of observed deviation from this permit condition
- corrective measures taken, if necessary

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**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 2-19: Contaminant List**

**Effective between the dates of 05/25/2012 and Permit Expiration Date**

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

**Item 2-19.1:**

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

CAS No: 0NY100-00-0

Name: HAP

CAS No: 0NY998-00-0

Name: VOC

**Condition 2-20: Unavoidable noncompliance and violations**

**Effective between the dates of 05/25/2012 and Permit Expiration Date**

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

**Item 2-20.1:**

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 2-21: Emission Unit Definition**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

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

**Item 2-21.1(From Mod 2):**

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

Emission Unit: A-00001

Emission Unit Description:

The emission unit includes three spray booths (non-pressurized cross draft). global Finishing Solutions Model NCD361616. The exhaust filters are either panel of blanket type filters and are  $\geq 98\%$  efficient. Manometer readings are used to determine maintenance timetables. these timetables are determined by pressure drop as calibrated according to manometer specifications. Each booth is equipped with pneumatic paint pumps and electric paint heating systems. Spray application of surface coating is done using HVLP spray guns. All coatings are air dried. Equipment:  
4 HVLP paint gun setups  
4 paint pumps w/inline heaters  
3 Global paint booths NCD 361616 (non-pressurized cross draft booths)

Building(s): Paint

**Item 2-21.2(From Mod 2):**

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

Emission Unit: A-00002

Emission Unit Description:

Weil McLain Model 80 Output 872 MBH operating specifications 400,000 BTU/Hr. The boiler is equipped with

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a Beckett burner using #2 fuel oil. Atomized type  
w/retention head @100 to 150 psi.

Building(s): Main

**Condition 2-22: Visible Emissions Limited**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 2-22.1:**

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 2-23: General Provisions**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

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

**Item 2-23.1:**

This Condition applies to Emission Unit: A-00001

**Item 2-23.2:**

This section of the permit contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

**Item 2-23.3:**

Any person who owns and/or operates emission sources subject to this permit shall operate and maintain all emission sources and required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate 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 control devices may be sufficient reason for the Department to revoke or deny a permit.

**Item 2-23.4:**

The owner or operator of the emission sources subject to this permit 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 during normal operating hours, for the purpose of determining compliance with this and any other state or federal air pollution control requirements, regulations or law.

**Condition 2-24: Process Definition By Emission Unit**



Effective between the dates of 05/25/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

**Item 2-24.1(From Mod 2):**

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

Emission Unit: A-00001

Process: 001

Source Classification Code: 3-09-999-97

Process Description:

The process includes 3 spray booths (non-pressurized cross draft) Global Finishing Solutions Model No. NCD361616. The process applies VOC compliant enamel paint and primers to bare metal refuse bins manufactured at the facility. The enamel paint and primers are applied to the metal using HVLP spray guns. Metal preparation is typically done using wire brush or hand-held scrappers. Solvents used to spot clean excessive oils from the bare metal. Overspray from the surface coating operation is captured in fabric filters >= 98% efficient. All coatings are air dried indoors to the point where they can be handled. Gasket seal is applied to rubber seals to create a water tight seal (customer requested).

Emission Source/Control: FLTR1 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: FLTR2 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: FLTR3 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: SB001 - Process

Emission Source/Control: SB002 - Process

Emission Source/Control: SB003 - Process

**Item 2-24.2(From Mod 2):**

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

Emission Unit: A-00002

Process: 002

Source Classification Code: 3-09-999-97

Process Description:

Hot water boiler Weil McLain Model 80 872MBH output/400,000 BTU/Hr. The boiler provides comfort heat to the office and parts storage area (main building). The boiler uses #2 fuel oil.

Emission Source/Control: BLR01 - Combustion

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**Condition 2-25: Process Definition By Emission Unit**  
**Effective between the dates of 05/25/2012 and Permit Expiration Date**

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

**Item 2-25.1(From Mod 2):**

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

Emission Unit: A-00001

Process: 001

Source Classification Code: 3-09-999-97

Process Description:

The process includes 3 spray booths (non-pressurized cross draft) Global Finishing Solutions Model No. NCD361616. The process applies VOC compliant enamel paint and primers to bare metal refuse bins manufactured at the facility. The enamel paint and primers are applied to the metal using HVLP spray guns. Metal preparation is typically done using wire brush or hand-held scrappers. Solvents used to spot clean excessive oils from the bare metal. Overspray from the surface coating operation is captured in fabric filters  $\geq$  98% efficient. All coatings are air dried indoors to the point where they can be handled. Gasket seal is applied to rubber seals to create a water tight seal (customer requested).

Emission Source/Control: FLTR1 - Control

Control Type: FABRIC FILTER

Emission Source/Control: FLTR2 - Control

Control Type: FABRIC FILTER

Emission Source/Control: FLTR3 - Control

Control Type: FABRIC FILTER

Emission Source/Control: SB001 - Process

Emission Source/Control: SB002 - Process

Emission Source/Control: SB003 - Process

**Item 2-25.2(From Mod 2):**

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

Emission Unit: A-00002

Process: 002

Source Classification Code: 3-09-999-97

Process Description:

Hot water boiler Weil McLain Model 80 872MBH output/400,000 BTU/Hr. The boiler provides comfort heat to the office and parts storage area (main building). The boiler uses #2 fuel oil.

Emission Source/Control: BLR01 - Combustion



