

Facility DEC ID: 7033400009

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 7-0334-00009/00023
Effective Date: 08/06/2026 Expiration Date: 08/05/2036

Permit Issued To: FRITO-LAY, INC.
7701 LEGACY DR
PLANO, TX 75024-0634

Facility: FRITO LAY
10, 36, 38, 40, 52, 58 and 65 SPUD LN
Binghamton, NY 13904

Contact: Christopher Pasquale
10 Spud Lane
Binghamton, NY 13904
(607) 775-4330

Description:

This project meets the requirements for ASF permit renewal, establishes a permit expiration date, and completes any updates necessitated by the passage of time.

The Frito-Lay Kirkwood facility produces snack foods including potato chips, corn chips, and tortilla chips. Bulk raw materials include whole potatoes, dried corn kernels, corn oil, and canola oil which are received by truck and rail. These materials are processed and sent to fryers to produce the snack chips. The products are seasoned and packaged prior to shipment. The facility operates three natural gas-fired boilers for steam and heat. The facility operates a starch dryer to process starch generated from potato chip fryers to produce raw materials that can be used in other industries.

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: JONATHAN J CRONELL
NYSDEC - REGION 7
5786 WIDEWATERS PKWY
SYRACUSE, NY 13214-1867

Facility DEC ID: 7033400009

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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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 7 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 7 Headquarters
Division of Environmental Permits
5786 Widewaters Parkway
Syracuse, NY 13214-1867
(315) 426-7400

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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: FRITO-LAY, INC.
7701 LEGACY DR
PLANO, TX 75024-0634

Facility: FRITO LAY
10, 36, 38, 40, 52, 58 and 65 SPUD LN
Binghamton, NY 13904

Authorized Activity By Standard Industrial Classification Code:
2096 - POTATO CHIPS AND SIMILAR SNACKS

Permit Effective Date: 08/06/2026

Permit Expiration Date: 08/05/2036

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 1/FINAL

**** 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: Acceptable Ambient Air Quality
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement:6 NYCRR 200.6**Item 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: Maintenance of Equipment
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement:6 NYCRR 200.7**Item 2.1:**

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 3: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement:6 NYCRR 201-1.8**Item 3.1:**

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.

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Condition 4: Recycling and Emissions Reduction
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement: 40 CFR 82, Subpart F

Item 4.1:

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

Condition 5: Compliance Demonstration
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement: 6 NYCRR Subpart 202-1

Item 5.1:

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

Emission Unit: F-RYERS Process: FRY	Emission Point: 00033 Emission Source: DTC33
Emission Unit: F-RYERS Process: FRY	Emission Point: 0007A Emission Source: FRY7A
Emission Unit: F-RYERS Process: FRY	Emission Point: 00028 Emission Source: MUN28
Emission Unit: F-RYERS Process: FRY	Emission Point: 00051 Emission Source: PC050
Emission Unit: F-RYERS Process: FRY	Emission Point: 00050 Emission Source: SDRYR
Emission Unit: F-RYERS Process: FRY	Emission Point: 00035 Emission Source: UTC35

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

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Frito Lay shall conduct an emissions test for condensable particulate matter on the emission points listed above once every ten years. The test must be completed using EPA Method 202 or an alternative test method approved by the Department. The purpose of testing is to develop updated emission factors for the facility.

The owner or operator shall submit to the Department a

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protocol 30 days prior to commencing the test and a final report no later than 60 days after completion of the tests.

Reference Test Method: Method 202

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: Arithmetic average of stack test runs

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 6: Visible Emissions Limited

Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement:6 NYCRR 211.2

Item 6.1:

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.

Condition 7: Compliance Demonstration

Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement:6 NYCRR 212-1.6 (a)

Item 7.1:

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

Emission Unit: F-RYERS

Item 7.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No facility owner or operator shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water. Compliance with this requirement shall be determined using EPA Method 9 upon request from the DEC.

Upon completion of any opacity emissions test, the owner or operator shall submit to the DEC a report of such emissions within 30 days of completion of the tests.

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Parameter Monitored: OPACITY
 Upper Permit Limit: 20 percent
 Reference Test Method: EPA Method 9
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
 DESCRIPTION
 Averaging Method: 6 MINUTE AVERAGE
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2027.
 Subsequent reports are due every 12 calendar month(s).

Condition 8: Emission Testing Using Approved Procedures
 Effective between the dates of 08/06/2026 and 08/05/2036

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

Item 8.1:

a) Facility owners and/or operators of a process emission source required by the department to demonstrate compliance with this Part may be required to conduct capture efficiency and/or stack emissions testing using acceptable and approved procedures pursuant to Part 202 of this Title.

Condition 9: Compliance Demonstration
 Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement:6 NYCRR 212-2.3 (a)

Item 9.1:

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

Emission Unit: F-RYERS

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

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
 Monitoring Description:

Facility owner or operator shall not allow emissions of liquid particulate matter air contaminants to violate the requirements specified in Subdivision 212-2.3(a), Table 4 – Degree of Air Cleaning Required for Criteria Air Contaminants for the environmental rating assigned to the contaminant by the department.

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The listed contaminants have been given an Environmental Rating of B for the process emission sources identified above. Emissions of liquid particulate matter have been demonstrated to have an emission rate potential (ERP) of less than 10 pounds/hour and ambient impacts below the National Ambient Air Quality Standards (NAAQS) at the fence line of the facility.

The facility must maintain records to demonstrate that none of the contaminants have had an increased ERP. Any increase in the ERP of a contaminant will require a reevaluation of ambient impacts of that contaminant to demonstrate ambient impacts are below the National Ambient Air Quality Standards (NAAQS) at the fence line of the facility.

Any proposed increase in the ERP of a contaminant that results in emissions equal to or greater than 10 pounds/hour will require a permit modification prior to implementation of such increase.

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 1/30/2027.

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

Condition 10: Compliance Demonstration
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement: 6 NYCRR 212-2.4 (b)

Item 10.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: F-RYERS	Emission Point: 00033
Process: FRY	Emission Source: DTC33
Emission Unit: F-RYERS	Emission Point: 0007A
Process: FRY	Emission Source: FRY7A
Emission Unit: F-RYERS	Emission Point: 00028
Process: FRY	Emission Source: MUN28
Emission Unit: F-RYERS	Emission Point: 00051
Process: FRY	Emission Source: PC050
Emission Unit: F-RYERS	Emission Point: 00050
Process: FRY	Emission Source: SDRYR

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Emission Unit: F-RYERS
Process: FRY

Emission Point: 00035
Emission Source: UTC35

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

Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions from any process emission source for which an application was received by the department after July 1, 1973 are restricted as follows:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: Arithmetic average of stack test runs

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 11: Compliance Demonstration

Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement: 6 NYCRR 227-1.3 (c)

Item 11.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-PROCS
Process: 101

Emission Source: BLR30

Emission Unit: 1-PROCS
Process: 101

Emission Source: BLR31

Emission Unit: 1-PROCS
Process: 101

Emission Source: BLR45

Item 11.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation must perform an annual tune-up on each emission source subject to 6 NYCRR Subpart 227-1. Records of the tune-up shall be maintained at the facility or at a Department approved alternative location for a minimum of five years. The records shall, at a minimum, include the date the tune-up(s) occurred and the details of the tune-up procedures for each emission source.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2027.

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

Condition 12: Compliance Demonstration**Effective between the dates of 08/06/2026 and 08/05/2036****Applicable Federal Requirement: 6 NYCRR 227-1.4 (a)****Item 12.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-PROCS

Process: 101

Emission Source: BLR30

Emission Unit: 1-PROCS

Process: 101

Emission Source: BLR31

Emission Unit: 1-PROCS

Process: 101

Emission Source: BLR45

Item 12.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a stationary combustion installation, at an Air State facility subject to this Subpart which is permitted to fire only natural gas, shall operate an emission source which exhibits greater than 20 percent opacity (based on a six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The owner or operator will conduct a Method 9 test upon the request of the Department. A report of the results of the test will be submitted to the Department within 30 days of the completion of the Method 9 test. All records generated by the permittee must be

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maintained at the facility or at an alternative location
approved by the Department for a minimum of five years.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR 60, Appendix A, Method 9
Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2027.
Subsequent reports are due every 12 calendar month(s).

Condition 13: Applicability
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement: 40 CFR 60, NSPS Subpart IIII

Item 13.1:

Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII.

Condition 14: Applicability
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement: 40 CFR 60, NSPS Subpart JJJJ

Item 14.1:

Facilities that have stationary spark ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart JJJJ.

Condition 15: Engines at Area sources of HAP
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable Federal Requirement: 40 CFR 63, Subpart ZZZZ

Item 15.1:

Internal combustion engines, constructed or re-constructed on or after June 12, 2006, that meet the requirements of 40 CFR 60 Subpart IIII or Subpart JJJJ meet the requirements of 40 CFR 63 Subpart ZZZZ.

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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 16: Contaminant List

Effective between the dates of 08/06/2026 and 08/05/2036

Applicable State Requirement:ECL 19-0301

Item 16.1:

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

CAS No: 0NY075-00-0

Name: PARTICULATES

Condition 17: Malfunctions and Start-up/Shutdown Activities

Effective between the dates of 08/06/2026 and 08/05/2036

Applicable State Requirement:6 NYCRR 201-1.4

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Item 17.1:

(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 18: Emission Unit Definition**Effective between the dates of 08/06/2026 and 08/05/2036****Applicable State Requirement: 6 NYCRR Subpart 201-5****Item 18.1:**

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

Emission Unit: 1-PROCS

Emission Unit Description:

This emission unit consists of the facility's primary 79 MMBtu/hr boiler (BLR45) and two 12.55 MMBtu/hr back up boilers (BLR30 and BLR31). The facility's boilers are

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fired by natural gas.

Building(s): 1
2
3
4

Item 18.2:

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

Emission Unit: F-RYERS

Emission Unit Description:

This emission unit consists of the facility's fryers used in the chip making process. Emission sources FRY7A, FRY8A, FRY43, PC050, and CV050 are equipped with mist eliminators to control liquid particulate matter.

Building(s): 1

Condition 19: Renewal deadlines for state facility permits
Effective between the dates of 08/06/2026 and 08/05/2036

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

Item 19.1:

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 20: Compliance Demonstration
Effective between the dates of 08/06/2026 and 08/05/2036

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

Item 20.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 20.2:

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 7
5786 Widewaters Parkway
Syracuse, NY 13214-1867

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Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2027.
 Subsequent reports are due every 12 calendar month(s).

Condition 21: Air pollution prohibited
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable State Requirement:6 NYCRR 211.1

Item 21.1:

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

Condition 22: Compliance Demonstration
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable State Requirement:6 NYCRR 253-1.4

Item 22.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 22.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of facilities that contain emission sources specified in Section 253-1.2 of this Part must monitor emissions and submit emissions data reports to the Department, except as otherwise provided in Part 253, following the requirements specified in 40 CFR Sections 98.3 through 98.4 (Amended November 18, 2024) (see Table 1, section 200.9 of this Title).

Owners or operators shall submit emissions data reports and any revisions to the reports through the NYS e-GGRT platform, or any other reporting tool approved by the Department that will guarantee transmittal and receipt of data and information required by Part 253. Each owner or operator must submit an emissions data report for the previous calendar year no later than June 1st of the current calendar year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Compliance Demonstration
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable State Requirement: 6 NYCRR 253-1.7

Item 23.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The owner or operator of each emission source that is required to report greenhouse gases under this Part, which emits a minimum of 10,000 metric tons (MT) of CO₂e but less than 25,000 MT of CO₂e, must keep records as required by 40 CFR Sections 98.3(g) through (h) (Amended November 18, 2024) (see Table 1, Section 200.9 of this Title) and as specified in this Subpart or as prescribed in the relevant Section(s) of Subpart 2 of this Part.

The following emission sources must maintain records on-site or at an alternative location approved by the Department for a period of five years from the date of emissions data report certification:

Emission sources that do not meet the threshold requirements pursuant to paragraph 253-1.2(f) of this Part or are not required to verify their emissions pursuant to Subpart 253-4 of this Part during any reporting year, must maintain required records for a period of five years from the date of certification.

Copies of any records or other materials maintained under the requirements of 40 CFR Part 98 (Amended November 18, 2024) (see Table 1, section 200.9 of this Title) or this Part must be made available to the Department upon request within 14 days of receipt of such request by the designated representative of the reporting entity, unless a different schedule is agreed to by the Department.

Emission sources must maintain the following records, including but not limited to:

(1) Information used to quantify or report emissions and product data in the emissions data report, underlying monitoring and metering data, invoices of receipts or deliveries, sales transaction data, calculation methods,

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protocols used, analysis results, calibration records, electricity transaction data, and other relevant information.

(2) A list of units, operations, processes, and activities for which GHG emissions were calculated.

(3) The data used to calculate the GHG emissions for each unit, operation, process and activity categorized by fuel or material type. These data include but are not limited to:

(i) the GHG emissions calculations and methods used;

(ii) analytical results for the development of site-specific emission factors;

(iii) the results of all required analyses for high heat value, carbon content, and other required fuel or feed stock parameters;

(iv) emissions data and input data, industrial product data and associated inputs; data associated with thermal energy provided, sold, purchased, or acquired; and data associated with electricity provided, sold, purchased, or acquired must be sufficient to allow for verification of each emissions data report; and

(v) any facility operating data or process information used for the GHG calculations.

(4) The annual GHG emissions data reports.

(5) Missing data computations for each missing data event, the cause of each event and the corrective actions taken to restore malfunctioning monitoring equipment.

(6) Continuous monitoring system records. The results of all required certification and quality assurance tests for continuous monitoring systems, fuel flow meters, and other instrumentation used to provide data for the GHG emissions reported under this Part.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

Condition 24: Emission Point Definition By Emission Unit
Effective between the dates of 08/06/2026 and 08/05/2036

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 24.1:

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

Emission Unit: 1-PROCS

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Emission Point: 00030
Height (ft.): 42 Diameter (in.): 16
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 00031
Height (ft.): 42 Diameter (in.): 16
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: E0045
Height (ft.): 60 Diameter (in.): 36
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 2

Item 24.2:

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

Emission Unit: F-RYERS

Emission Point: 00009
Height (ft.): 45 Diameter (in.): 15
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 00028
Height (ft.): 45 Diameter (in.): 11
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 00033
Height (ft.): 45 Diameter (in.): 15
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 00035
Height (ft.): 45 Diameter (in.): 15
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 00039
Height (ft.): 45 Diameter (in.): 15
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 00043
Height (ft.): 35 Diameter (in.): 15
NYTMN (km.): 4661.022 NYTME (km.): 430.732 Building: 1

Emission Point: 00050
Height (ft.): 37 Diameter (in.): 28
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 00051
Height (ft.): 50 Diameter (in.): 38
NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 00052
Height (ft.): 50 Diameter (in.): 26

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NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 00053

Height (ft.): 35

Diameter (in.): 24

NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 0007A

Height (ft.): 45

Diameter (in.): 16

NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Emission Point: 0008A

Height (ft.): 45

Diameter (in.): 16

NYTMN (km.): 4661.087 NYTME (km.): 430.459 Building: 1

Condition 25: Process Definition By Emission Unit

Effective between the dates of 08/06/2026 and 08/05/2036

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 25.1:

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

Emission Unit: 1-PROCS

Process: 101

Source Classification Code: 1-02-006-02

Process Description:

This process consists of firing natural gas in any of the facility's three boilers.

Emission Source/Control: BLR30 - Combustion

Design Capacity: 12.55 million Btu per hour

Emission Source/Control: BLR31 - Combustion

Design Capacity: 12.55 million Btu per hour

Emission Source/Control: BLR45 - Combustion

Design Capacity: 79 million Btu per hour

Item 25.2:

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

Emission Unit: F-RYERS

Process: FRY

Source Classification Code: 3-02-036-01

Process Description:

This process consists of operation of the facility's potato chip fryers.

Emission Source/Control: FCC43 - Control

Control Type: MIST ELIMINATOR

Emission Source/Control: FCC7A - Control

Control Type: MIST ELIMINATOR

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Emission Source/Control: FCC8A - Control
Control Type: MIST ELIMINATOR

Emission Source/Control: PCC51 - Control
Control Type: MIST ELIMINATOR

Emission Source/Control: PCC52 - Control
Control Type: MIST ELIMINATOR

Emission Source/Control: PCC53 - Control
Control Type: MIST ELIMINATOR

Emission Source/Control: CV050 - Process

Emission Source/Control: DTC33 - Process

Emission Source/Control: FRY43 - Process

Emission Source/Control: FRY7A - Process

Emission Source/Control: FRY8A - Process

Emission Source/Control: MUN28 - Process

Emission Source/Control: PC050 - Process

Emission Source/Control: RST39 - Process

Emission Source/Control: SDRYR - Process

Emission Source/Control: UTC09 - Process

Emission Source/Control: UTC35 - Process

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