

Facility DEC ID: 7084200017

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 7-0842-00017/00019  
Effective Date: 05/21/2019 Expiration Date: 05/20/2024

Permit Issued To: KERRY BIOFUNCTIONAL INGREDIENTS INC  
158 ST RTE 320  
NORWICH, NY 13815

Contact: Sara Mele  
Kerry BioScience  
158 State Highway 320  
Norwich, NY 13815  
(315) 802-5886

Facility: KERRY  
158 ST RTE 320  
NORWICH, NY 13815

Contact: Sara Mele  
Kerry BioScience  
158 State Highway 320  
Norwich, NY 13815  
(315) 802-5886

Description:  
Title V Renewal; incorporation of two minor modifications (boiler addition and Acid reactor addition).

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: JOSEPH M DLUGOLENSKI  
1285 FISHER AVE  
CORTLAND, NY 13045-1090

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 \*\*\*\*

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**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

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submitted prior to actual transfer of ownership.

**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  
615 Erie Blvd West  
Syracuse, NY 13204-2400  
(315) 426-7400

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

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: KERRY BIOFUNCTIONAL INGREDIENTS INC  
158 ST RTE 320  
NORWICH, NY 13815

Facility: KERRY  
158 ST RTE 320  
NORWICH, NY 13815

Authorized Activity By Standard Industrial Classification Code:  
2099 - FOOD PREPARATIONS NEC

Permit Effective Date: 05/21/2019

Permit Expiration Date: 05/20/2024

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40	41	40CFR 63.7515(d), Subpart DDDDD: Compliance Certification
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- 53 45 40CFR 63.7550(b), Subpart DDDDD: Compliance Certification
- 54 46 40CFR 63.7555, Subpart DDDDD: Compliance Certification
- 55 47 40CFR 63, Subpart EEEE: Compliance Certification
- Emission Unit Level**
- 56 48 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 58 49 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=U-00019**

- 63 50 40CFR 60.8, NSPS Subpart A: Compliance Certification
- 64 51 40CFR 60.12, NSPS Subpart A: Circumvention.

**EU=U-00019,Proc=19B**

- 64 52 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Certification

**EU=U-00019,EP=19P19**

- 66 53 40CFR 60.7, NSPS Subpart A: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

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- 68 54 ECL 19-0301: Contaminant List
- 69 55 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 69 56 6 NYCRR 211.1: Air pollution prohibited
- 70 57 6 NYCRR 212-2.1: Compliance Demonstration
- 70 58 6 NYCRR 212-2.1: Compliance Demonstration
- 72 59 6 NYCRR 212-2.1: Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



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**FEDERALLY ENFORCEABLE CONDITIONS****\*\*\*\* Facility Level \*\*\*\*****NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.**

**Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)**

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

**Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)**

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Item C: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)**

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**Item D: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)**

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)**

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of

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planned changes or anticipated noncompliance does not stay any permit condition.

**Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)**

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

**Item G: Property Rights - 6 NYCRR 201-6.4 (a) (6)**

This permit does not convey any property rights of any sort or any exclusive privilege.

**Item H: Severability - 6 NYCRR 201-6.4 (a) (9)**

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Item I: Permit Shield - 6 NYCRR 201-6.4 (g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

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- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

**Item J: Reopening for Cause - 6 NYCRR 201-6.4 (i)**

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the department pursuant to the provisions of section 201- 6.6 of this Subpart.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

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**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)**

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.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.**

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**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: Fees**

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Effective between the dates of 05/21/2019 and 05/20/2024

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)**

**Item 2.1:**

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 3: Recordkeeping and Reporting of Compliance Monitoring  
Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c)**

**Item 3.1:**

The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii)The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

**Condition 4: Records of Monitoring, Sampling, and Measurement  
Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (2)**

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification  
Effective between the dates of 05/21/2019 and 05/20/2024**

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**Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)****Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.
- (4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been

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placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. 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. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions

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Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in



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this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Air Compliance Branch  
USEPA Region 2 DECA/ACB  
290 Broadway, 21st Floor  
New York, NY 10007

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
NYSDEC Region 7 Headquarters  
615 Erie Boulevard, West  
Syracuse, NY 13204-2400

The address for the BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2020.  
Subsequent reports are due on the same day each year

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**Condition 7: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:6 NYCRR 202-2.5**

**Item 8.1:**

(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 9: Open Fires - Prohibitions**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 9.1:**

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 9.2**

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

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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.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
 SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.**

**[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]**

**Condition 10: Maintenance of Equipment  
 Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 6 NYCRR 200.7**

**Item 10.1:**

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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 11: Recycling and Salvage**  
Effective between the dates of 05/21/2019 and 05/20/2024

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

**Item 11.1:**

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
Effective between the dates of 05/21/2019 and 05/20/2024

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

**Item 12.1:**

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 13: Exempt Sources - Proof of Eligibility**  
Effective between the dates of 05/21/2019 and 05/20/2024

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

**Item 13.1:**

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

**Condition 14: Trivial Sources - Proof of Eligibility**  
Effective between the dates of 05/21/2019 and 05/20/2024

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

**Item 14.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 15: Requirement to Provide Information**  
Effective between the dates of 05/21/2019 and 05/20/2024

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**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)****Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: Right to Inspect**  
Effective between the dates of 05/21/2019 and 05/20/2024

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)****Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Off Permit Changes**  
Effective between the dates of 05/21/2019 and 05/20/2024

**Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)****Item 17.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or

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operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

**Condition 18: Required Emissions Tests**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

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

**Item 18.1:**

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 19: Accidental release provisions.**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:40 CFR Part 68**

**Item 19.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
 C/O CSC  
 8400 Corporate Dr  
 Carrollton, Md. 20785

**Condition 20: Recycling and Emissions Reduction**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

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**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 20.1:**

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

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 21: Safeguarding information**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:6 NYCRR 200.2**

**Item 21.1:**

Information pertaining to manufacture, production or secret processes submitted in connection with applications, reports, plans and specifications or testing and designated by the person submitting such information as secret or proprietary, shall be kept confidential as provided by Part 616 of this Title dealing with trade secret confidentiality. The quantity and physical and chemical characteristics of actual and allowable air contaminant emissions shall be considered public information.

**Condition 22: False statement**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:6 NYCRR 200.3**

**Item 22.1:**

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

**Condition 23: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 23.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. No later than 365 days after the effective date of this permit, the owner shall submit to the DEC for review an Operation and Maintenance Plan for each air pollution control source.
2. The plan shall describe each control device's

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operating parameters (such as flow rate, pressure drop, and pH) and, for each parameter, establish an operating range that reflects good engineering practice. In those instances where emissions testing has been conducted, certain parameters (such as caustic flow) must be operated on a daily basis at the same application rate as was used during the performance test.

3. The plan shall describe procedures to insure that each device is operating in accordance with the parameters identified in Item 2 above, including measurement and recording of such parameters at a specified frequency.

4. The plan shall describe preventive maintenance measures.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 24: Emission Unit Definition**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

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

**Item 24.1:**

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

Emission Unit: U-00002

Emission Unit Description:

Boiler#2 can fire either #2 fuel oil or natural gas as fuel.

Building(s): BB

**Item 24.2:**

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

Emission Unit: U-00003

Emission Unit Description:

Boiler #3 can fire only natural gas.

Building(s): BB

**Item 24.3:**

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

Emission Unit: U-00004

Emission Unit Description:

Lactose drying process including the Rennenburg Dryer and Roller Dryers.

Building(s): LA



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**Item 24.4:**

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

Emission Unit: U-00005

Emission Unit Description:

Lactose mill cyclone dust baghouse.

Building(s): LA

**Item 24.5:**

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

Emission Unit: U-00006

Emission Unit Description:

Dump stations located in Building BR on the first floor  
sedrving carbon black mixing/filter aid tanks.

Building(s): BR

**Item 24.6:**

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

Emission Unit: U-00008

Emission Unit Description:

Toluene recovery system..

Building(s): HY

**Item 24.7:**

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

Emission Unit: U-00009

Emission Unit Description:

Lactose product baghouse.

Building(s): LA

**Item 24.8:**

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

Emission Unit: U-00010

Emission Unit Description:

Lactose and carbon black mixing located in building BR on  
the first floor.

Building(s): BR

**Item 24.9:**

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

Emission Unit: U-00011

Emission Unit Description:

Hydrolyzed protein dryer.

Building(s): HY

**Item 24.10:**

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

Emission Unit: U-00012

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Emission Unit Description:  
Paddle Ribbon Blender Raw Material Charging Station.

Building(s): BL

**Item 24.11:**

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

Emission Unit: U-00014

Emission Unit Description:  
Lubritose cyclone operations.

**Item 24.12:**

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

Emission Unit: U-00015

Emission Unit Description:  
Various solid material emissions are controlled by a two-zone scrubber.

Building(s): W5

**Item 24.13:**

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

Emission Unit: U-00016

Emission Unit Description:  
Hydrolyzed proteins reactor.

Building(s): RB

**Item 24.14:**

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

Emission Unit: U-00017

Emission Unit Description:  
Hydrolyzed Proteins Reactor # 2 (Identical to Acid Reactir #1, U-00016)

Building(s): RB

**Item 24.15:**

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

Emission Unit: U-00019

Emission Unit Description:  
Boiler # 4. B&W package boiler, 38.13 million Btu/hr heat input firing gas (36.8 mmBtu/hr firing oil), 30,000 lb/hr saturated steam max continuous rating. Capable of firing natural gas or ultra-low sulfur No. 2 fuel oil.

Building(s): BB

**Item 24.16:**

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

Emission Unit: U-00020

Emission Unit Description:  
Wastewater Pretreatment Facility



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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 27.4:**

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 27.5:**

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 27.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 27.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

1. Facility-wide emissions of VOC shall not exceed 49 tons in any 12 consecutive calendar month period.
2. Emissions shall be computed as the difference between the amount of VOC used and the amount of VOC recovered. Alternative means of calculation may be proposed and used in accordance with DEC approval.
3. The facility shall maintain records documenting such VOC use, and shall be maintained in a readily-available format. Records should include documentation of purchases and, if applicable, shipment off site. Records shall be maintained for 5 years.

Parameter Monitored: VOC

Upper Permit Limit: 49 tons

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2020.

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

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**Condition 28: Compliance Certification**  
Effective between the dates of 05/21/2019 and 05/20/2024

**Applicable Federal Requirement:6 NYCRR Subpart 202-1**

**Item 28.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

1. No later than 90 days after the effective date of this permit, the owner or operator shall submit to the Department a work plan to quantify emissions of toluene from its facility.
2. No later than 180 days after the effective date of this permit, the owner or operator shall submit to the Department an updated estimate of toluene emissions and overall VOC emissions.
3. No later than 180 days after the effective date of this permit, the owner or operator shall submit to the Department an updated Part 212 analysis of potential air contaminant impacts.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 29: Visible Emissions Limited**  
Effective between the dates of 05/21/2019 and 05/20/2024

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 29.1:**  
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 30: Compliance Certification**  
Effective between the dates of 05/21/2019 and 05/20/2024

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 30.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 30.2:**

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Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. No later than 90 days after the effective date of this permit, the facility shall
  - i. Submit to the DEC a report on potential odor emissions. That report shall include a description of all processes, raw materials, ingredients and equipment that are potential sources of odor, including fugitive and stack emissions.
  - ii. Establish a procedure to receive, via telephone, and to investigate, in a timely fashion, complaints of odors from persons in the community.
    - a) Odor complaints shall be recorded, and for each complaint, include the name of the person(s) making the complaint, the date and time of the complaint, the nature of the odor, and the Company's response to the complaint.
    - b) For each Company response to an odor complaint, the owner or operator shall record the date and time the Company responded, and the action taken in response to the complaint. At a minimum, the Company shall verify whether the odor complaint is valid by assessing whether an odor is detected at the location where the odor was said to be present. The Company shall record the location of the odor, the approximate ambient temperature, wind speed and wind direction, and the processes that were in operation for the period 24 hours before the complaint until the date and time of the complaint.
    - c) The owner or operator shall notify the Department, by e-mail, of each complaint.
  - iii. On an annual basis, the owner or operator shall submit to the Department a report of the information specified in Item 2 above.
2. No later than 90 days after receipt of written notice from the Department, the owner or operator shall submit to the Department, for Department approval, a plan to abate odors. Such submission shall include an application to modify the air permit, and be stamped by a Professional Engineer licensed in New York State.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

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DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2020.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 31: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

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

**Item 31.1:**

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

Emission Unit: U-00004	Emission Point: 04P06
Emission Unit: U-00005	Emission Point: 05P09
Emission Unit: U-00006	Emission Point: 06P23
Emission Unit: U-00009	Emission Point: 09P27
Emission Unit: U-00010	Emission Point: 10P28
Emission Unit: U-00011	Emission Point: 11P20
Emission Unit: U-00012	Emission Point: 12P29
Emission Unit: U-00014	Emission Point: 14P14
Emission Unit: U-00015	Emission Point: 15P15
Emission Unit: U-00016	Emission Point: 16P16
Emission Unit: U-00017	Emission Point: 17P17

**Item 31.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water.

The owner or operator shall conduct observations of visible emissions from each process emission point on a monthly basis. If visible emissions above those that are normal are observed (this may be zero percent for many

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sources), the owner or operator shall determine the cause, make the necessary correction, and verify whether the visible emission remains. If visible emissions continue after corrections are made, the owner or operator shall contact the Department's Regional Air Pollution Control Engineer.

Records of these observations shall be kept on site.

Parameter Monitored: OPACITY  
 Upper Permit Limit: 20 percent  
 Reference Test Method: EPA Method 9  
 Monitoring Frequency: MONTHLY  
 Averaging Method: 6 MINUTE AVERAGE  
 Reporting Requirements: ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2020.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 32: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

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

**Item 32.1:**

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

Emission Unit: U-00004	Emission Point: 04P06
Emission Unit: U-00005	Emission Point: 05P09
Emission Unit: U-00006	Emission Point: 06P23
Emission Unit: U-00009	Emission Point: 09P27
Emission Unit: U-00010	Emission Point: 10P28
Emission Unit: U-00011	Emission Point: 11P20
Emission Unit: U-00012	Emission Point: 12P29
Emission Unit: U-00014	Emission Point: 14P14
Emission Unit: U-00015	Emission Point: 15P15
Emission Unit: U-00016	Emission Point: 16P16
Emission Unit: U-00017	Emission Point: 17P17

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



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**Item 32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1. No person shall cause or allow emissions of particulate that exceed 0.05 gr/dscf of exhaust gas, expressed on a dry basis.
2. Emissions of particulate shall be measured by using the emission testing method found in 40 CFR Part 60, Appendix A-3, Method 5.
3. Testing shall be conducted upon the request of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.05 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2020.

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

**Condition 33: Compliance Certification**

**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 6 NYCRR 225-1.2 (h)**

**Item 33.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 33.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

1. The owner or operator shall not fire any distillate oil containing in excess of 0.0015 percent sulfur, by weight.
2. Compliance shall be demonstrated using fuel supplier certifications.
3. The owner or operator, in the semi-annual report, shall indicate if any fuel has been purchased or fired for which a certification has not been received.

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4. The owner or operator must submit to the DEC a report if any fuel has been received (or fired) which contains in excess of 0.0015 percent sulfur, by weight, within 30 days after the end of any calendar quarter in which an exceedance has occurred.

Parameter Monitored: SULFUR CONTENT  
 Upper Permit Limit: 0.0015 percent by weight  
 Reference Test Method: Vendor Certification  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
 SEE MONITORING DESCRIPTION  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 34: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)**

**Item 34.1:**

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

Emission Unit: U-00002	Emission Point: 02P02
Emission Unit: U-00003	Emission Point: 03P03
Emission Unit: U-00019	Emission Point: 19P19

**Item 34.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity (on a six minute block period) except for one six minute block period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours

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except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- date and time of day
- observer's name
- identity of emission point
- weather condition
- was a plume observed?

Inclement weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry.

To the extent possible, the observer shall position themselves with the sun behind their back.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence.

The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

Operators of natural gas fired boilers shall perform the monitoring outlined in 1 thru 3 above, except that the monitoring frequency may be monthly for each boiler operating on natural gas. If the operator observes visible emissions (other than steam) during the monthly observation, the operator shall observe the stack for visible emissions for a second consecutive day. If the operator observes visible emissions for two consecutive days firing natural gas, the steps detailed in number 3 above must be followed.

**\*\* NOTE \*\*** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency.

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Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

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: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2019.  
Subsequent reports are due every 6 calendar month(s).

**Condition 35: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:40CFR 52, Subpart HH**

**Item 35.1:**

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

Emission Unit: U-00002	Emission Point: 02P02
Emission Unit: U-00003	Emission Point: 03P03
Emission Unit: U-00019	Emission Point: 19P19

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

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Pursuant to Section 110 of the Federal Clean Air Act, the EPA approved, as part of New York's State Implementation Plan, a regulation for the control of particulate matter. The Department has since revised this rule, changing the applicability criteria and the numerical limits. The revisions, however, have not been approved by the EPA. This condition requires compliance with the rule as it is contained in the federally-approved SIP.

No person shall cause, permit or allow a two hour average emission into the outdoor atmosphere of particulates in excess of 0.10 pound per million Btu heat input from any oil fired stationary combustion installation. The source



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This condition becomes applicable once the package boilers meet the light liquid fuel subcategory of 40 CFR 63.7499 and must comply with the following, on and after January 31, 2016:

1. The boilers must meet the mercury emission limit in Table 2 of 40 CFR Part 63, Subpart DDDDD. The owner or operator shall not cause or allow the emission to the atmosphere of mercury in excess of 0.000020 pounds per million Btu heat input or 0.000025 pounds per million Btu steam output.
2. Pursuant to 40 CFR 63.7505(c), the owner or operator may demonstrate compliance with the applicable emission limit for mercury using fuel analysis if the emission rate calculated according to §63.7530(c) is less than the applicable emission limit. Otherwise, the owner or operator must demonstrate compliance for mercury using performance testing. If compliance is demonstrated based on a monthly fuel analysis, such demonstration must be conducted according to a site-specific fuel sampling and analysis plan as described in 40 CFR § 63.7521. The fuel analysis may be conducted any time within the calendar month as long as the analysis is separated from the previous analysis by at least 14 calendar days. If each of 12 consecutive monthly fuel analyses demonstrates 75 percent or less of the compliance level, the owner or operator may decrease the fuel analysis frequency to quarterly for that fuel. If any quarterly sample exceeds 75 percent of the compliance level or the owner or operator begins burning a new type of fuel, the owner or operator must return to monthly monitoring for that fuel, until 12 months of fuel analyses are again less than 75 percent of the compliance level.
3. As an alternative to fuel sampling, the owner or operator may elect to demonstrate compliance using stack test methods in accordance with 40 CFR Part 63, Subpart DDDDD. If the owner so elects, or is otherwise required to conduct testing, the owner or operator must follow the frequency specified in 40 CFR 63.7515.
4. The owner or operator shall submit a Compliance Certification Report on a semi-annual basis containing the information required in 40 CFR 63.7550.

Parameter Monitored: MERCURY

Upper Permit Limit: 0.000020 pounds per million Btus

Reference Test Method: 40 CFR Part 63, Subpart DDDDD, Table 6

Monitoring Frequency: MONTHLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

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Reports due 30 days after the reporting period.  
The initial report is due 7/30/2019.  
Subsequent reports are due every 6 calendar month(s).

**Condition 37: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 40CFR 63.7500, Subpart DDDDD**

**Item 37.1:**

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

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00019

Regulated Contaminant(s):

CAS No: 007647-01-0      HYDROGEN CHLORIDE

**Item 37.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Upon issuance, the package boilers are classified as a "units designed to burn Gas 1" subcategory. Unit designed to burn gas 1 subcategory includes any boiler or process heater that burns only natural gas, refinery gas, and/or other gas 1 fuels. Gaseous fuel boilers and process heaters that burn liquid fuel for periodic testing of liquid fuel, maintenance, or operator training, not to exceed a combined total of 48 hours during any calendar year, are included in this definition. Gaseous fuel boilers and process heaters that burn liquid fuel during periods of gas curtailment or gas supply interruptions of any duration are also included in this definition. If the facility begins combusting oil, that classification will change until the owner again provides notification of a change in fuel.

This condition becomes applicable once the package boilers meet the light liquid fuel subcategory of 40 CFR 63.7499 and must comply with the following, on and after January 31, 2016:

1. The boilers must meet the HCl emission limit in Table 2 of 40 CFR Part 63, Subpart DDDDD. The owner or operator shall not cause or allow the emission to the atmosphere of HCl in excess of 0.0011 pounds per million Btu heat input,

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or 0.0014 pounds per million Btu steam output.

2. Pursuant to 40 CFR 63.7505(c), the owner or operator may demonstrate compliance with the applicable emission limit for HCl using fuel analysis if the emission rate calculated according to §63.7530(c) is less than the applicable emission limit. Otherwise, the owner or operator must demonstrate compliance for HCl using performance testing. If compliance is demonstrated based on a monthly fuel analysis, such demonstration must be conducted according to a site specific fuel sampling and analysis plan as described in 40CFR § 63.7521. The fuel analysis may be conducted any time within the calendar month as long as the analysis is separated from the previous analysis by at least 14 calendar days. If each of 12 consecutive monthly fuel analyses demonstrates 75 percent or less of the compliance level, the owner or operator may decrease the fuel analysis frequency to quarterly for that fuel. If any quarterly sample exceeds 75 percent of the compliance level or the owner or operator begins burning a new type of fuel, the owner or operator must return to monthly monitoring for that fuel, until 12 months of fuel analyses are again less than 75 percent of the compliance level.

3. As an alternative to fuel sampling, the owner or operator may elect to demonstrate compliance using stack test methods in accordance with 40 CFR Part 63, Subpart DDDDD. If the owner so elects, or is otherwise required to conduct testing, the owner or operator must follow the frequency specified in 40 CFR 63.7515.

4. The owner or operator shall submit a Compliance Certification Report on a semi-annual basis containing the information required in 40 CFR 63.7550.

Parameter Monitored: HYDROGEN CHLORIDE

Upper Permit Limit: 0.001 pounds per million Btus

Reference Test Method: 40 CFR Part 63, Subpart DDDD, Table 6

Monitoring Frequency: MONTHLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2019.

Subsequent reports are due every 6 calendar month(s).

**Condition 38: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 40CFR 63.7500, Subpart DDDDD**

**Item 38.1:**



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The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00019

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Upon issuance, the package boilers are classified as a "units designed to burn Gas 1" subcategory. Unit designed to burn gas 1 subcategory includes any boiler or process heater that burns only natural gas, refinery gas, and/or other gas 1 fuels. Gaseous fuel boilers and process heaters that burn liquid fuel for periodic testing of liquid fuel, maintenance, or operator training, not to exceed a combined total of 48 hours during any calendar year, are included in this definition. Gaseous fuel boilers and process heaters that burn liquid fuel during periods of gas curtailment or gas supply interruptions of any duration are also included in this definition. If the facility otherwise begins combusting oil, that classification will change until the owner again provides notification of a change in fuel.

This condition becomes applicable once the package boilers meet the light liquid fuel subcategory of 40 CFR 63.7499 and must comply with the following, on and after January 31, 2016:

1. The boilers must meet the carbon monoxide emission limit in Table 2 of 40 CFR Part 63, Subpart DDDDD. The owner or operator shall not cause or allow the emission to the atmosphere of CO in excess of 130 ppm corrected to 3% O<sub>2</sub> or 0.13 pounds per million Btu steam output.
2. Compliance shall be demonstrated based on a stack test as specified in Table 5 and 40 CFR 63.7520 and conducted according to a site-specific test plan. The site-specific plan must be submitted to the DEC and the EPA at least 60 days prior to commencing the compliance demonstration. The owner must follow the testing frequency specified in 40 CFR 63.7515.
3. If a CO CEM is used, the owner or operator must

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install an oxygen analyzer system and operate it in accordance with a site specific O2 monitoring plan pursuant to 40 CFR 63.7505(d).

4. The owner or operator must maintain the 30 day average oxygen content at or above the O2 level recorded during the most recent CO test.
5. The owner or operator must monitor operating load and must not exceed the maximum operating load as described in 40 CFR Part 63, Subpart DDDDD, Table 7.
6. The owner or operator shall submit a Compliance Certification Report on a semi-annual basis containing the information required in 40 CFR 63.7550.

Parameter Monitored: CARBON MONOXIDE  
 Upper Permit Limit: 130 parts per million by volume  
 (dry, corrected to 3% oxygen)  
 Reference Test Method: 40 CFR Part 63, Subpart DDDDD, Table 5  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 39: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 40CFR 63.7500, Subpart DDDDD**

**Item 39.1:**  
 The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00019

Regulated Contaminant(s):  
 CAS No: 0NY507-00-0  
 40 CFR 63 SUBPART DDDDD TOTAL SELECTED METALS

**Item 39.2:**  
 Compliance Certification shall include the following monitoring:

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

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## Monitoring Description:

Upon issuance, the package boilers are classified as a "units designed to burn Gas 1" subcategory. Unit designed to burn gas 1 subcategory includes any boiler or process heater that burns only natural gas, refinery gas, and/or other gas 1 fuels. Gaseous fuel boilers and process heaters that burn liquid fuel for periodic testing of liquid fuel, maintenance, or operator training, not to exceed a combined total of 48 hours during any calendar year, are included in this definition. Gaseous fuel boilers and process heaters that burn liquid fuel during periods of gas curtailment or gas supply interruptions of any duration are also included in this definition. If the facility begins combusting oil, that classification will change until the owner again provides notification of a change in fuel.

This condition becomes applicable once the package boilers meet the light liquid fuel subcategory of 40 CFR 63.7499 and must comply with the following, on and after January 31, 2016:

1. The boilers must meet the Total Selected Metals emission limit in Table 2 of 40 CFR Part 63, Subpart DDDDD. The owner or operator shall not cause or allow the emission to the atmosphere of TSM in excess of 0.000062 pound per million Btu heat input, or 0.000075 pound per million Btu steam output. Alternatively, the owner or operator shall not cause or allow the emission to the atmosphere from each boiler of particulate matter in excess of 0.0079 pound per million Btu heat input, or 0.0096 pound per million Btu steam output.

2. Compliance shall be demonstrated based on a monthly fuel analysis conducted according to a site-specific fuel sampling and analysis plan as described in 40 CFR § 63.7521 for each type of fuel burned that is subject to an emission limit. The site-specific plan must be submitted to the DEC and the EPA at least 60 days prior to commencing the compliance demonstration. The fuel analysis may be conducted any time within the calendar month as long as the analysis is separated from the previous analysis by at least 14 calendar days. If each of 12 consecutive monthly fuel analyses demonstrates 75 percent or less of the compliance level, the owner or operator may decrease the fuel analysis frequency to quarterly for that fuel. If any quarterly sample exceeds 75 percent of the compliance level or the owner or operator begins burning a new type of fuel, the owner or operator must return to monthly monitoring for that fuel, until 12 months of fuel analyses are again less than 75 percent of the compliance level.



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2. The owner or operator shall complete an energy assessment as specified in 40 CFR Part 63, Subpart DDDDD, Table 3, no later than January 31, 2016.

3. The owner or operator shall state whether he or she has complied with this requirement in his or her Notification of Compliance Status, which shall be submitted to the DEC and the EPA no later than 60 days after completion of these activities, or 60 days after completion of stack emissions testing, if applicable (required for light liquid fuel subcategory boilers).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 41: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:40CFR 63.7515(d), Subpart DDDDD**

**Item 41.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00019

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Boilers with a heat input capacity of 10 million Btu per hour or greater must conduct an annual tune-up as specified in 40 CFR 63.7540(a)(10) and must be conducted no more than 13 months after the previous tune-up. New or reconstructed boilers must conduct the first annual tune-up no later than 13 months after the initial startup of the affected source.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2019.

Subsequent reports are due every 6 calendar month(s).

**Condition 42: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

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**Applicable Federal Requirement:40CFR 63.7540(a), Subpart DDDDD****Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Upon issuance, the package boilers are classified as a "units designed to burn Gas 1" subcategory. Unit designed to burn gas 1 subcategory includes any boiler or process heater that burns only natural gas, refinery gas, and/or other gas 1 fuels. Gaseous fuel boilers and process heaters that burn liquid fuel for periodic testing of liquid fuel, maintenance, or operator training, not to exceed a combined total of 48 hours during any calendar year, are included in this definition. Gaseous fuel boilers and process heaters that burn liquid fuel during periods of gas curtailment or gas supply interruptions of any duration are also included in this definition. If the facility otherwise begins combusting oil, that classification will change until the owner again provides notification of a change in fuel.

(a) You must demonstrate continuous compliance with each emission limit in Tables 1 and 2 or 11 through 13 to this subpart, the work practice standards in Table 3 to this subpart, and the operating limits in Table 4 to this subpart that applies to you according to the methods specified in Table 8 to this subpart and paragraphs (a)(1) through (19) of this section.

(1) Following the date on which the initial compliance demonstration is completed or is required to be completed under §§63.7 and 63.7510, whichever date comes first, operation above the established maximum or below the established minimum operating limits shall constitute a deviation of established operating limits listed in Table 4 of this subpart except during performance tests conducted to determine compliance with the emission limits or to establish new operating limits. Operating limits must be confirmed or reestablished during performance tests.

(2) As specified in §63.7555(d), you must keep records of the type and amount of all fuels burned in each boiler or process heater during the reporting period to demonstrate that all fuel types and mixtures of fuels burned would result in either of the following:

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- (i) Equal to or lower emissions of HCl, mercury, and TSM than the applicable emission limit for each pollutant, if you demonstrate compliance through fuel analysis.
- (ii) Equal to or lower fuel input of chlorine, mercury, and TSM than the maximum values calculated during the last performance test, if you demonstrate compliance through performance testing.
- (3) If you demonstrate compliance with an applicable HCl emission limit through fuel analysis for a solid or liquid fuel and you plan to burn a new type of solid or liquid fuel, you must recalculate the HCl emission rate using Equation 16 of §63.7530 according to paragraphs (a)(3)(i) through (iii) of this section. You are not required to conduct fuel analyses for the fuels described in §63.7510(a)(2)(i) through (iii). You may exclude the fuels described in §63.7510(a)(2)(i) through (iii) when recalculating the HCl emission rate.
- (i) You must determine the chlorine concentration for any new fuel type in units of pounds per million Btu, based on supplier data or your own fuel analysis, according to the provisions in your site-specific fuel analysis plan developed according to §63.7521(b).
- (ii) You must determine the new mixture of fuels that will have the highest content of chlorine.
- (iii) Recalculate the HCl emission rate from your boiler or process heater under these new conditions using Equation 16 of §63.7530. The recalculated HCl emission rate must be less than the applicable emission limit.
- (4) If you demonstrate compliance with an applicable HCl emission limit through performance testing and you plan to burn a new type of fuel or a new mixture of fuels, you must recalculate the maximum chlorine input using Equation 7 of §63.7530. If the results of recalculating the maximum chlorine input using Equation 7 of §63.7530 are greater than the maximum chlorine input level established during the previous performance test, then you must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in §63.7520 to demonstrate that the HCl emissions do not exceed the emission limit. You must also establish new operating limits based on this performance test according to the procedures in §63.7530(b). In recalculating the maximum chlorine input and establishing the new operating limits, you are not required to conduct fuel analyses for and include the fuels described in §63.7510(a)(2)(i) through (iii).

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(5) If you demonstrate compliance with an applicable mercury emission limit through fuel analysis, and you plan to burn a new type of fuel, you must recalculate the mercury emission rate using Equation 17 of §63.7530 according to the procedures specified in paragraphs (a)(5)(i) through (iii) of this section. You are not required to conduct fuel analyses for the fuels described in §63.7510(a)(2)(i) through (iii). You may exclude the fuels described in §63.7510(a)(2)(i) through (iii) when recalculating the mercury emission rate.

(i) You must determine the mercury concentration for any new fuel type in units of pounds per million Btu, based on supplier data or your own fuel analysis, according to the provisions in your site-specific fuel analysis plan developed according to §63.7521(b).

(ii) You must determine the new mixture of fuels that will have the highest content of mercury.

(iii) Recalculate the mercury emission rate from your boiler or process heater under these new conditions using Equation 17 of §63.7530. The recalculated mercury emission rate must be less than the applicable emission limit.

(6) If you demonstrate compliance with an applicable mercury emission limit through performance testing, and you plan to burn a new type of fuel or a new mixture of fuels, you must recalculate the maximum mercury input using Equation 8 of §63.7530. If the results of recalculating the maximum mercury input using Equation 8 of §63.7530 are higher than the maximum mercury input level established during the previous performance test, then you must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in §63.7520 to demonstrate that the mercury emissions do not exceed the emission limit. You must also establish new operating limits based on this performance test according to the procedures in §63.7530(b). You are not required to conduct fuel analyses for the fuels described in §63.7510(a)(2)(i) through (iii). You may exclude the fuels described in §63.7510(a)(2)(i) through (iii) when recalculating the mercury emission rate.

(7) If your unit is controlled with a fabric filter, and you demonstrate continuous compliance using a bag leak detection system, you must initiate corrective action within 1 hour of a bag leak detection system alert and complete corrective actions as soon as practical, and operate and maintain the fabric filter system such that



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the periods which would cause an alert are no more than 5 percent of the operating time during a 6-month period. You must also keep records of the date, time, and duration of each alert, the time corrective action was initiated and completed, and a brief description of the cause of the alert and the corrective action taken. You must also record the percent of the operating time during each 6-month period that the conditions exist for an alert. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alert time is counted. If corrective action is required, each alert shall be counted as a minimum of 1 hour. If you take longer than 1 hour to initiate corrective action, the alert time shall be counted as the actual amount of time taken to initiate corrective action.

(8) To demonstrate compliance with the applicable alternative CO CEMS emission limit listed in Tables 1, 2, or 11 through 13 to this subpart, you must meet the requirements in paragraphs (a)(8)(i) through (iv) of this section.

(i) Continuously monitor CO according to §§63.7525(a) and 63.7535.

(ii) Maintain a CO emission level below or at your applicable alternative CO CEMS-based standard in Tables 1 or 2 or 11 through 13 to this subpart at all times the affected unit is subject to numeric emission limits.

(iii) Keep records of CO levels according to §63.7555(b).

(iv) You must record and make available upon request results of CO CEMS performance audits, dates and duration of periods when the CO CEMS is out of control to completion of the corrective actions necessary to return the CO CEMS to operation consistent with your site-specific monitoring plan.

(9) The owner or operator of a boiler or process heater using a PM CPMS or a PM CEMS to meet requirements of this subpart shall install, certify, operate, and maintain the PM CPMS or PM CEMS in accordance with your site-specific monitoring plan as required in §63.7505(d).

(10) If your boiler or process heater has a heat input capacity of 10 million Btu per hour or greater, you must conduct an annual tune-up of the boiler or process heater to demonstrate continuous compliance as specified in paragraphs (a)(10)(i) through (vi) of this section. You

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must conduct the tune-up while burning the type of fuel (or fuels in case of units that routinely burn a mixture) that provided the majority of the heat input to the boiler or process heater over the 12 months prior to the tune-up. This frequency does not apply to limited-use boilers and process heaters, as defined in §63.7575, or units with continuous oxygen trim systems that maintain an optimum air to fuel ratio.

(i) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may perform the burner inspection any time prior to the tune-up or delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

(ii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

(iii) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection;

(iv) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NOX requirement to which the unit is subject;

(v) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and

(vi) Maintain on-site and submit, if requested by the Administrator, a report containing the information in paragraphs (a)(10)(vi)(A) through (C) of this section,

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(A) The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

(B) A description of any corrective actions taken as a part of the tune-up; and

(C) The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

(11) If your boiler or process heater has a heat input capacity of less than 10 million Btu per hour (except as specified in paragraph (a)(12) of this section), you must conduct a biennial tune-up of the boiler or process heater as specified in paragraphs (a)(10)(i) through (vi) of this section to demonstrate continuous compliance.

(12) If your boiler or process heater has a continuous oxygen trim system that maintains an optimum air to fuel ratio, or a heat input capacity of less than or equal to 5 million Btu per hour and the unit is in the units designed to burn gas 1; units designed to burn gas 2 (other); or units designed to burn light liquid subcategories, or meets the definition of limited-use boiler or process heater in §63.7575, you must conduct a tune-up of the boiler or process heater every 5 years as specified in paragraphs (a)(10)(i) through (vi) of this section to demonstrate continuous compliance. You may delay the burner inspection specified in paragraph (a)(10)(i) of this section until the next scheduled or unscheduled unit shutdown, but you must inspect each burner at least once every 72 months. If an oxygen trim system is utilized on a unit without emission standards to reduce the tune-up frequency to once every 5 years, set the oxygen level no lower than the oxygen concentration measured during the most recent tune-up.

(13) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup.

(14) If you are using a CEMS measuring mercury emissions to meet requirements of this subpart you must install, certify, operate, and maintain the mercury CEMS as specified in paragraphs (a)(14)(i) and (ii) of this section.

(i) Operate the mercury CEMS in accordance with

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performance specification 12A of 40 CFR part 60, appendix B or operate a sorbent trap based integrated monitor in accordance with performance specification 12B of 40 CFR part 60, appendix B. The duration of the performance test must be 30 operating days if you specified a 30 operating day basis in §63.7545(e)(2)(iii) for mercury CEMS or it must be 720 hours if you specified a 720 hour basis in §63.7545(e)(2)(iii) for mercury CEMS. For each day in which the unit operates, you must obtain hourly mercury concentration data, and stack gas volumetric flow rate data.

(ii) If you are using a mercury CEMS, you must install, operate, calibrate, and maintain an instrument for continuously measuring and recording the mercury mass emissions rate to the atmosphere according to the requirements of performance specifications 6 and 12A of 40 CFR part 60, appendix B, and quality assurance procedure 6 of 40 CFR part 60, appendix F.

(15) If you are using a CEMS to measure HCl emissions to meet requirements of this subpart, you must install, certify, operate, and maintain the HCl CEMS as specified in paragraphs (a)(15)(i) and (ii) of this section. This option for an affected unit takes effect on the date a final performance specification for an HCl CEMS is published in the Federal Register or the date of approval of a site-specific monitoring plan.

(i) Operate the continuous emissions monitoring system in accordance with the applicable performance specification in 40 CFR part 60, appendix B. The duration of the performance test must be 30 operating days if you specified a 30 operating day basis in §63.7545(e)(2)(iii) for HCl CEMS or it must be 720 hours if you specified a 720 hour basis in §63.7545(e)(2)(iii) for HCl CEMS. For each day in which the unit operates, you must obtain hourly HCl concentration data, and stack gas volumetric flow rate data.

(ii) If you are using a HCl CEMS, you must install, operate, calibrate, and maintain an instrument for continuously measuring and recording the HCl mass emissions rate to the atmosphere according to the requirements of the applicable performance specification of 40 CFR part 60, appendix B, and the quality assurance procedures of 40 CFR part 60, appendix F.

(16) If you demonstrate compliance with an applicable TSM emission limit through performance testing, and you plan to burn a new type of fuel or a new mixture of fuels, you must recalculate the maximum TSM input using Equation 9 of §63.7530. If the results of recalculating the maximum TSM

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input using Equation 9 of §63.7530 are higher than the maximum total selected input level established during the previous performance test, then you must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in §63.7520 to demonstrate that the TSM emissions do not exceed the emission limit. You must also establish new operating limits based on this performance test according to the procedures in §63.7530(b). You are not required to conduct fuel analyses for the fuels described in §63.7510(a)(2)(i) through (iii). You may exclude the fuels described in §63.7510(a)(2)(i) through (iii) when recalculating the TSM emission rate.

(17) If you demonstrate compliance with an applicable TSM emission limit through fuel analysis for solid or liquid fuels, and you plan to burn a new type of fuel, you must recalculate the TSM emission rate using Equation 18 of §63.7530 according to the procedures specified in paragraphs (a)(5)(i) through (iii) of this section. You are not required to conduct fuel analyses for the fuels described in §63.7510(a)(2)(i) through (iii). You may exclude the fuels described in §63.7510(a)(2)(i) through (iii) when recalculating the TSM emission rate.

(i) You must determine the TSM concentration for any new fuel type in units of pounds per million Btu, based on supplier data or your own fuel analysis, according to the provisions in your site-specific fuel analysis plan developed according to §63.7521(b).

(ii) You must determine the new mixture of fuels that will have the highest content of TSM.

(iii) Recalculate the TSM emission rate from your boiler or process heater under these new conditions using Equation 18 of §63.7530. The recalculated TSM emission rate must be less than the applicable emission limit.

(18) If you demonstrate continuous PM emissions compliance with a PM CPMS you will use a PM CPMS to establish a site-specific operating limit corresponding to the results of the performance test demonstrating compliance with the PM limit. You will conduct your performance test using the test method criteria in Table 5 of this subpart. You will use the PM CPMS to demonstrate continuous compliance with this operating limit. You must repeat the performance test annually and reassess and adjust the site-specific operating limit in accordance with the results of the performance test.

(i) To determine continuous compliance, you must record

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the PM CPMS output data for all periods when the process is operating and the PM CPMS is not out-of-control. You must demonstrate continuous compliance by using all quality-assured hourly average data collected by the PM CPMS for all operating hours to calculate the arithmetic average operating parameter in units of the operating limit (milliamps) on a 30-day rolling average basis.

(ii) For any deviation of the 30-day rolling PM CPMS average value from the established operating parameter limit, you must:

(A) Within 48 hours of the deviation, visually inspect the air pollution control device (APCD);

(B) If inspection of the APCD identifies the cause of the deviation, take corrective action as soon as possible and return the PM CPMS measurement to within the established value; and

(C) Within 30 days of the deviation or at the time of the annual compliance test, whichever comes first, conduct a PM emissions compliance test to determine compliance with the PM emissions limit and to verify or re-establish the CPMS operating limit. You are not required to conduct additional testing for any deviations that occur between the time of the original deviation and the PM emissions compliance test required under this paragraph.

(iii) PM CPMS deviations from the operating limit leading to more than four required performance tests in a 12-month operating period constitute a separate violation of this subpart.

(19) If you choose to comply with the PM filterable emissions limit by using PM CEMS you must install, certify, operate, and maintain a PM CEMS and record the output of the PM CEMS as specified in paragraphs (a)(19)(i) through (vii) of this section. The compliance limit will be expressed as a 30-day rolling average of the numerical emissions limit value applicable for your unit in Tables 1 or 2 or 11 through 13 of this subpart.

(i) Install and certify your PM CEMS according to the procedures and requirements in Performance Specification 11—Specifications and Test Procedures for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources in Appendix B to part 60 of this chapter, using test criteria outlined in Table V of this rule. The reportable measurement output from the PM CEMS must be expressed in units of the applicable emissions limit (e.g., lb/MMBtu, lb/MWh).

(ii) Operate and maintain your PM CEMS according to the procedures and requirements in Procedure 2— Quality Assurance Requirements for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources in Appendix F to part 60 of this chapter.

(A) You must conduct the relative response audit (RRA) for your PM CEMS at least once annually.

(B) You must conduct the relative correlation audit (RCA) for your PM CEMS at least once every 3 years.

(iii) Collect PM CEMS hourly average output data for all boiler operating hours except as indicated in paragraph (v) of this section.

(iv) Calculate the arithmetic 30-day rolling average of all of the hourly average PM CEMS output data collected during all nonexempt boiler or process heater operating hours.

(v) You must collect data using the PM CEMS at all times the unit is operating and at the intervals specified this paragraph (a), except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities.

(vi) You must use all the data collected during all boiler or process heater operating hours in assessing the compliance with your operating limit except:

(A) Any data collected during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities conducted during monitoring system malfunctions in calculations and report any such periods in your annual deviation report;

(B) Any data collected during periods when the monitoring system is out of control as specified in your site-specific monitoring plan, repairs associated with periods when the monitoring system is out of control, or required monitoring system quality assurance or control activities conducted during out of control periods in calculations used to report emissions or operating levels and report any such periods in your annual deviation report;

(C) Any data recorded during periods of startup or shutdown.





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**Condition 44: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 40CFR 63.7545(h), Subpart DDDDD**

**Item 44.1:**

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

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00019

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The "unit designed to burn gas 1 subcategory" includes any boiler or process heater that burns only natural gas, refinery gas, and/or other gas 1 fuels. Gaseous fuel boilers and process heaters that burn liquid fuel for periodic testing of liquid fuel, maintenance, or operator training, not to exceed a combined total of 48 hours during any calendar year, are included in this definition. Gaseous fuel boilers and process heaters that burn liquid fuel during periods of gas curtailment or gas supply interruptions of any duration are also included in this definition.

Upon issuance, the boilers at Kerry are designated as units designed to burn gas 1.

If the facility switches fuels and the fuel switch results in the applicability of a different subcategory, the owner or operator must provide notice of the date upon which the fuel switch occurred within 30 days of the switch. the notification must identify:

1. the name of the owner or operator of the affected source, as defined in 40 CFR 63.7490, the location of the source, the boiler(s) that have switched fuels, and the date of the notice.
2. The currently applicable subcategory under this subpart.
3. the date upon which the fuel switch occurred.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

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DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 45: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:40CFR 63.7550(b), Subpart DDDDD**

**Item 45.1:**

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

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00019

**Item 45.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Unless the EPA Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), the owner or operator must submit each report, according to 40 CFR 63.7550(h), by the date in Table 9 to subpart DDDDD and according to the requirements in (1) through (4). For units that are subject only to a requirement to conduct an annual, biennial, or 5-year tune-up according to 40 CFR 63.7540(a)(10), (11), or (12), respectively, and not subject to emission limits or operating limits, the owner or operator may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in paragraphs (1) through (4), instead of a semiannual compliance report.

(1) The first compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in 40 CFR 63.7495 and ending on July 31 or January 31, whichever date is the first date that occurs at least 180 days (or 1, 2, or 5 years, as applicable, if submitting an annual, biennial, or 5-year compliance report) after the compliance date that is specified for the owner or operators source in 40 CFR 63.7495.

(2) The first compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for each boiler or process heater in 40 CFR 63.7495. The first annual, biennial, or 5-year compliance report must

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be postmarked or submitted no later than January 31.

(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. Annual, biennial, and 5-year compliance reports must cover the applicable 1-, 2-, or 5-year periods from January 1 to December 31.

(4) Each subsequent compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. Annual, biennial, and 5-year compliance reports must be postmarked or submitted no later than January 31.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 46: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:40CFR 63.7555, Subpart DDDDD**

**Item 46.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must maintain the following records:

1. A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in § 63.10(b)(2)(xiv).
2. Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations as required in § 63.10(b)(2)(viii).
3. In the event that the owner elects to combust only natural gas in the boiler, for each unit in the "units designed to burn gas 1" subcategory in which fuel oil is combusted, the owner or operator must keep records of the

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total hours per calendar year that fuel oil is burned and the total hours per calendar year that the unit operated during periods of gas curtailment or gas supply emergencies.

4. Records of the calendar date, time, occurrence and duration of each startup and shutdown and records of the type(s) and amount(s) of fuels used during each startup and shutdown.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 47: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 40CFR 63, Subpart EEEE**

**Item 47.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility stores and transfers toluene, and organic liquid, and meets the applicability criteria of 40 CFR Part 63, Subpart EEEE.

1. No later than 90 days after the effective date of this permit, the owner or operator shall submit to the DEC a report stating whether it is complying with 40 CFR Part 63, Subpart EEEE. That report shall include:

- i) a description of how the facility receives and dispenses organic liquids, including a list of equipment (containers, pumps, valves, etc.) and a flowchart,
- ii) a summary of 40 CFR 63, Subpart EEEE monitoring requirements, and whether the owner or operator has complied with these requirements, and
- iii) actions taken to comply with 40 CFR Part 63, Subpart EEEE, including an initial compliance report as specified in 40 CFR 63.2386.

2. Semi-annual reports shall be submitted as required by 40 CFR 63.2386.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

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DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2019.  
 Subsequent reports are due every 6 calendar month(s).

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

**Condition 48: Emission Point Definition By Emission Unit**  
 Effective between the dates of 05/21/2019 and 05/20/2024

Applicable Federal Requirement:6 NYCRR Subpart 201-6

**Item 48.1:**

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

Emission Unit: U-00002

Emission Point: 02P02

Height (ft.): 52 Diameter (in.): 30  
 NYTMN (km.): 4711.422 NYTME (km.): 457.232 Building: BB

**Item 48.2:**

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

Emission Unit: U-00003

Emission Point: 03P03

Height (ft.): 52 Diameter (in.): 30  
 NYTMN (km.): 4711.422 NYTME (km.): 457.232 Building: BB

**Item 48.3:**

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

Emission Unit: U-00004

Emission Point: 04P06

Height (ft.): 38 Diameter (in.): 15  
 NYTMN (km.): 4711.422 NYTME (km.): 457.232 Building: LA

**Item 48.4:**

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

Emission Unit: U-00005

Emission Point: 05P09

Height (ft.): 36 Diameter (in.): 9  
 NYTMN (km.): 4711.422 NYTME (km.): 457.232 Building: LA

**Item 48.5:**

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

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Emission Unit: U-00006

Emission Point: 06P23  
 Height (ft.): 21 Diameter (in.): 7  
 NYTMN (km.): 4711.422 NYTME (km.): 457.232 Building: BR

**Item 48.6:**

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

Emission Unit: U-00008

Emission Point: 08P25  
 Height (ft.): 23 Diameter (in.): 2  
 NYTMN (km.): 4711.422 NYTME (km.): 457.232 Building: HY

Emission Point: 08P30  
 Height (ft.): 40 Diameter (in.): 1  
 NYTMN (km.): 4711.422 NYTME (km.): 457.232 Building: HY

**Item 48.7:**

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

Emission Unit: U-00009

Emission Point: 09P27  
 Height (ft.): 41 Diameter (in.): 8  
 NYTMN (km.): 4711.422 NYTME (km.): 457.232 Building: LA

**Item 48.8:**

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

Emission Unit: U-00010

Emission Point: 10P28  
 Height (ft.): 30 Diameter (in.): 12  
 NYTMN (km.): 4711.422 NYTME (km.): 457.232 Building: BR

**Item 48.9:**

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

Emission Unit: U-00011

Emission Point: 11P20  
 Height (ft.): 69 Diameter (in.): 28  
 NYTMN (km.): 4711.231 NYTME (km.): 457.274 Building: HY

**Item 48.10:**

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

Emission Unit: U-00012

Emission Point: 12P29

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Height (ft.): 37                      Diameter (in.): 10  
 NYTMN (km.): 4711.422    NYTME (km.): 457.232    Building: BL

**Item 48.11:**

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

Emission Unit: U-00014

Emission Point: 14P14  
 Height (ft.): 33                      Diameter (in.): 8  
 NYTMN (km.): 4711.422    NYTME (km.): 457.232    Building: W5

**Item 48.12:**

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

Emission Unit: U-00015

Emission Point: 15P15  
 Height (ft.): 33                      Diameter (in.): 14  
 NYTMN (km.): 4711.422    NYTME (km.): 457.232    Building: W5

**Item 48.13:**

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

Emission Unit: U-00016

Emission Point: 16P16  
 Height (ft.): 43                      Diameter (in.): 13  
 NYTMN (km.): 4711.336    NYTME (km.): 457.277

**Item 48.14:**

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

Emission Unit: U-00017

Emission Point: 17P17  
 Height (ft.): 47                      Diameter (in.): 14  
 NYTMN (km.): 4711.336    NYTME (km.): 457.273    Building: RB

**Item 48.15:**

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

Emission Unit: U-00019

Emission Point: 19P19  
 Height (ft.): 52                      Diameter (in.): 30  
 NYTMN (km.): 4711.422    NYTME (km.): 457.232    Building: BB

**Condition 49: Process Definition By Emission Unit**  
 Effective between the dates of 05/21/2019 and 05/20/2024

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

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**Item 49.1:**

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

Emission Unit: U-00002  
 Process: A02 Source Classification Code: 1-02-005-01  
 Process Description:  
 Boiler #2 is a 40 MMBTU/HR heat input boiler. Boiler #2  
 can fire either no. 2 fuel oil or natural gas as fuel.  
 Emission Source/Control: 0002A - Combustion

**Item 49.2:**

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

Emission Unit: U-00003  
 Process: A03 Source Classification Code: 1-02-005-01  
 Process Description:  
 Boiler #3 is a 40 MMBTU/HR heat input boiler. Boiler #3  
 can fire only natural gas as fuel.  
 Emission Source/Control: 0003A - Combustion

**Item 49.3:**

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

Emission Unit: U-00004  
 Process: A4A Source Classification Code: 3-02-030-99  
 Process Description:  
 Rennenburg dryer with air discharged to atmosphere  
 through a cyclone.  
 Emission Source/Control: 0004A - Process

**Item 49.4:**

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

Emission Unit: U-00004  
 Process: A4B Source Classification Code: 3-02-030-99  
 Process Description: Roller dryer exhausted through a wet scrubber.  
 Emission Source/Control: 0004C - Control  
 Control Type: WET SCRUBBER  
 Emission Source/Control: 0004B - Process

**Item 49.5:**

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

Emission Unit: U-00005  
 Process: A05 Source Classification Code: 3-02-030-99  
 Process Description:  
 Lactose mill dust is collected by a baghouse. Clean air  
 is exhausted to atmosphere.





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atmosphere.

Emission Source/Control: 0009A - Process

Emission Source/Control: 0009B - Process

**Item 49.10:**

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

Emission Unit: U-00010

Process: 010

Source Classification Code: 3-02-030-99

Process Description:

Dust from one dump station and mixing tank is drawn into a wet scrubber. Blowdown from the scrubber is ultimately routed and treated in the site wastewater treatment facility while cleaned air is exhausted to atmosphere.

Emission Source/Control: 0010B - Control

Control Type: WET SCRUBBER

Emission Source/Control: 0010A - Process

**Item 49.11:**

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

Emission Unit: U-00011

Process: 011

Source Classification Code: 3-02-030-99

Process Description:

Hydrolyzed protein dryer, cyclone, NIRO demister and IAP centrifugal wet exhaust fan.

Emission Source/Control: 0011B - Control

Control Type: WET SCRUBBER

Emission Source/Control: 0011A - Process

**Item 49.12:**

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

Emission Unit: U-00012

Process: 012

Source Classification Code: 3-02-030-99

Process Description:

Paddle ribbon blender material charging station with baghouse exhausted to atmosphere.

Emission Source/Control: 0012B - Control

Control Type: FABRIC FILTER

Emission Source/Control: 0012A - Process

**Item 49.13:**

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

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Emission Unit: U-00014  
 Process: 014 Source Classification Code: 3-02-030-99  
 Process Description:  
 Lubritose cyclone exhausted through a baghouse and then to atmosphere.

Emission Source/Control: 0014B - Control  
 Control Type: FABRIC FILTER

Emission Source/Control: 0014A - Process

**Item 49.14:**

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

Emission Unit: U-00015  
 Process: 015 Source Classification Code: 3-02-030-99  
 Process Description:  
 Equipment includes three (3) V-blenders, a dump station and a coatings application lab. Equipment is vented to a two-zone scrubber using direct contact agglomeration pads followed by a high efficiency mist eliminator.

Emission Source/Control: 0015E - Control  
 Control Type: WET SCRUBBER

Emission Source/Control: 0015A - Process

Emission Source/Control: 0015B - Process

Emission Source/Control: 0015C - Process

Emission Source/Control: 0015D - Process

**Item 49.15:**

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

Emission Unit: U-00016  
 Process: 016 Source Classification Code: 3-02-030-99  
 Process Description:  
 Particulate emissions, acid emissions (hydrogen chloride and hydrogen sulfide) and odor from the hydrolyzed proteins reactor vent pass through a packed tower wet scrubber, followed by a high efficiency mist eliminator.

Emission Source/Control: 0016B - Control  
 Control Type: WET SCRUBBER

Emission Source/Control: 0016A - Process

**Item 49.16:**

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

Emission Unit: U-00017

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Process: 017 Source Classification Code: 3-02-030-99

Process Description:

Particulate emissions, acid emissions (hydrochloric acid and hydrogen sulfide) and odor from the hydrolyzed proteins reactor will vent to a packed bed scrubber, followed by a high efficiency mist eliminator.

Emission Source/Control: 0017B - Control  
Control Type: WET SCRUBBER

Emission Source/Control: 0017A - Process  
Design Capacity: 4,000 gallons

**Item 49.17:**

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

Emission Unit: U-00019  
Process: 19A Source Classification Code: 1-02-006-02  
Process Description: Firing natural gas.

Emission Source/Control: 0019A - Combustion  
Design Capacity: 38.13 million Btu per hour

**Item 49.18:**

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

Emission Unit: U-00019  
Process: 19B Source Classification Code: 1-02-005-02  
Process Description: Package boiler firing No. 2 oil.

Emission Source/Control: 0019A - Combustion  
Design Capacity: 38.13 million Btu per hour

**Item 49.19:**

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

Emission Unit: U-00020  
Process: 020 Source Classification Code: 3-02-825-99  
Process Description: Wastewater pretreatment operations.

Emission Source/Control: 0020A - Process

Emission Source/Control: 0020B - Process

Emission Source/Control: 0020C - Process

Emission Source/Control: 0020D - Process

**Condition 50: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement: 40CFR 60.8, NSPS Subpart A**

Permit ID: 7-0842-00017/00019

Facility DEC ID: 7084200017

**Item 50.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00019

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, the owner or operator of such facility shall furnish the Administrator a copy of the fuel sulfur certification required under 40 CFR Part 60, Subpart Dc, as required elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 51: Circumvention.**

**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A**

**Item 51.1:**

This Condition applies to Emission Unit: U-00019

**Item 51.2:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 52: Compliance Certification**

**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:40CFR 60.42c(d), NSPS Subpart Dc**

**Item 52.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00019

Process: 19B

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 7-0842-00017/00019

Facility DEC ID: 7084200017

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Boiler 4 is subject to the federal Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

1. The boiler shall not combust oil with a sulfur content in excess of 0.5 weight percent sulfur, or cause to be discharged any gases that contain in excess of 0.50 lb/mmBtu heat input.

This boiler is subject to a much more stringent emission limit stated elsewhere in this permit.

2. Compliance with this standard shall be determined based on a certification from the fuel supplier.

3. The owner or operator is required to submit to the EPA semi-annual reports. Such reports shall include fuel supplier certifications and a certified statement signed by the owner or operator of Boiler 4 that the records of the fuel supplier certifications represent all of the fuel oil combusted during the reporting period. The fuel supplier certification shall include the name of the oil supplier, a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c, and the sulfur content or maximum sulfur content of the oil. 40 CFR 60.48c(e)(11).

4. The owner or operator shall record and maintain records of the amount of each fuel combusted during each calendar month. As an alternative, the owner or operator may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during the calendar month. 40 CFR 60.48c(g).

5. Pursuant to 40 CFR Part 60, Subpart Dc, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, the owner or operator of such facility shall furnish the Administrator a copy of the fuel sulfur certification required under 40 CFR Part 60, Subpart Dc, as required elsewhere in this permit.

6. All records required under 40 CFR 60.48c shall be maintained by the owner or operator for a period of two years following the date of such record.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2019.

Subsequent reports are due every 6 calendar month(s).

**Condition 53: Compliance Certification**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable Federal Requirement:40CFR 60.7, NSPS Subpart A**

**Item 53.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00019

Emission Point: 19P19

**Item 53.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. The owner or operator shall furnish the Administrator written notification, as follows:

(a) A notification of when the date construction of Boiler #4 (emission unit 19) is commenced, postmarked no later than 30 days after such date.

(b) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

2. The owner or operator shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction of Boiler #4.

3. The owner or operator shall maintain a file of all measurements and certifications in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

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

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

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;

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

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

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

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

**Item B: 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





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**Applicable State Requirement:6 NYCRR 201-1.4****Item 55.1:**

(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 malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, 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 stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and 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. 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, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the 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 56: Air pollution prohibited**

Effective between the dates of 05/21/2019 and 05/20/2024

**Applicable State Requirement:6 NYCRR 211.1****Item 56.1:**

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,

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pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 57: Compliance Demonstration**  
**Effective between the dates of 05/21/2019 and 05/20/2024**

**Applicable State Requirement: 6 NYCRR 212-2.1**

**Item 57.1:**

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

Emission Unit: U-00016                      Emission Point: 16P16

Emission Unit: U-00017                      Emission Point: 17P17

Regulated Contaminant(s):  
 CAS No: 007783-06-4                      HYDROGEN SULFIDE

**Item 57.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1. Emissions of hydrogen sulfide shall not exceed 0.04 lb/hr. This emission rate may be revised based on refined modeling.
2. Compliance shall be based on testing conducted in accordance with a protocol approved by the Department.
3. Testing shall be conducted upon the request of the Department.
4. Reports shall be submitted no later than 60 days after completion of such testing.

Parameter Monitored: HYDROGEN SULFIDE  
 Upper Permit Limit: 0.04 pounds per hour  
 Reference Test Method: 40 CFR Part 60, App A, RM 16C  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: Arithmetic average of stack test runs  
 Reporting Requirements: ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2020.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 58: Compliance Demonstration**  
**Effective between the dates of 05/21/2019 and 05/20/2024**



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Effective between the dates of 05/21/2019 and 05/20/2024

**Applicable State Requirement:6 NYCRR 212-2.1****Item 59.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 59.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operational Flexibility Protocol - New Construction of general process emission sources; modifications to existing sources

The owner or operator may install a new general process air contamination source or modify an existing emission source, provided that criteria pollutants, hazardous air pollutants, and pollutants emitted from such device for which an annual guideline concentration (AGC) and/or short term guideline concentration (SGC) exist, meet all of the following conditions:

1. The device will not result in the emission of any A-rated contaminant with an emission rate potential equal to or greater than 0.1 pound/hr.
2. The device will not result in the emission of any non-VOC contaminant, not given an A-rating, with an emission rate potential equal to or greater than 10 pounds/hr.
3. The device shall not emit particulate matter in excess of 0.05 gr/dscf. The owner or operator shall conduct emissions testing upon written request of the DEC in accordance with 6 NYCRR 202.
4. The device shall not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater, except only the emission of uncombined water. The owner or operator shall conduct emissions testing upon written request of the DEC in accordance with 6 NYCRR 202.
5. The owner or operator must identify all potential pollutants that could be emitted, including A-rated contaminants, hazardous air pollutants, High Toxicity Air Contaminants, VOCs, and non-VOC pollutants. For this facility, A-rated contaminants are those contaminants listed with a "high" toxicity in the Department's most recent DAR-1 (Air Guide 1) guidance document, and any

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other contaminants that may be A-rated by the Department. All other pollutants are B-rated, unless otherwise rated by the Department.

6. A facility-wide DAR-1 analysis must be performed and demonstrate that there are no predicted off-site ambient concentrations in excess of the AGC or SGC for each contaminant. This analysis shall include all emissions of such pollutant, facility-wide. The owner or operator shall maintain the results of all DAR-1 analyses on-site for a period of at least five years.

7. No facility-wide emissions cap shall be exceeded; and

8. The installation does not render the facility subject to any additional regulations of requirements.

#### Notification of Permitting Procedures

If the installation or modification results in the emission of any pollutant not previously authorized or emitted at this site in accordance with this permit, the owner or operator shall submit to the DEC a notice of the intention to install a new air contamination source or modify an existing source. Such notice shall be submitted no later than 30 days prior to the proposed installation.

The DEC reserves the right to require a permit modification to impose special conditions if DEC determines the proposed change may have a significant air quality impact. In such cases, upon receipt of any notice submitted by the owner or operator to the DEC as required in this permit, the DEC will respond within 15 days of receipt of such notice, and may require that the owner not undertake the proposed change without a permit modification.

#### Reporting

A summary of all activities conducted under this operational flexibility condition shall be reported to the DEC in the facility's annual capping report required pursuant to 6 NYCRR 201-7. The annual compliance certifications shall also (1) include compliance certifications for all devices added pursuant to this condition since permit issuance; (2) include a statement that records are maintained on site documenting that exempt and trivial emissions sources continue to satisfy the criteria of 6 NYCRR 201-3.2 and 3.3, and (3) identify any new equipment that was installed without a permit that was not exempt pursuant to 6 NYCRR 201-3.2 or 3.3 and did not comply with the operational flexibility terms of this

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condition.

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 1/30/2020.

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

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