

# PERMIT Under the Environmental Conservation Law (ECL)

# **IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility Permit ID: 8-0728-00033/00003

Effective Date: 03/31/2021 Expiration Date: 03/30/2026

Permit Issued To: VULCRAFT OF NEW YORK INC

621 MAIN ST PO BOX 280

CHEMUNG, NY 14825

Contact: JOHN SLOVAK

NUCOR-VULCRAFT OF NEW YORK

**PO BOX 280** 

CHEMUNG, NY 14825

(607) 529-9016

Facility: VULCRAFT OF NEW YORK INC

5362 RAILROAD ST CHEMUNG, NY 14825

Contact: JOHN SLOVAK

NUCOR-VULCRAFT OF NEW YORK

**PO BOX 280** 

CHEMUNG, NY 14825

(607) 529-9016

# Description:

Renewal of the Title V Permit for steel joist, bridging, and deck fabrication and coating operations. The Vulcraft of New York Inc - Chemung Plant meets the definition of a Major Source in 6 NYCRR Part 201-2.1(b)(21), and is subject to Part 201-6 requirements for a Title V Facility Permit due to potential emissions of VOC in excess of 50 tons per year, Plant construction was authorized by an Air State Facility permit issued September 11, 2000. The Title V permit was first issued on January 3 2005 and renewed March 10, 2016.

# **Division of Air Resources**



# **Facility DEC ID: 8072800033**

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:	THOMAS P HALEY 6274 E AVON LIMA RD AVON, NY 14414-9519				
Authorized Signature		Date:	/	/	



# **Notification of Other State Permittee Obligations**

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



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# DEC GENERAL CONDITIONS

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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.

#### Item3.2:

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

#### **Item 3.3**

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

#### **Division of Air Resources**



Facility DEC ID: 8072800033

# 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 8
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 8 Headquarters Division of Environmental Permits 6274 Avon-Lima Road Avon, NY 14414-9519 (585) 226-2466



# Permit Under the Environmental Conservation Law (ECL)

# ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

# **IDENTIFICATION INFORMATION**

Permit Issued To:VULCRAFT OF NEW YORK INC

621 MAIN ST PO BOX 280

CHEMUNG, NY 14825

Facility: VULCRAFT OF NEW YORK INC

5362 RAILROAD ST CHEMUNG, NY 14825

Authorized Activity By Standard Industrial Classification Code:

3441 - FABRICATED STRUCTURAL METAL

3444 - SHEET METAL WORK

Permit Effective Date: 03/31/2021 Permit Expiration Date: 03/30/2026



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#### FEDERALLY ENFORCEABLE CONDITIONS

Renewal 2/FINAL

\*\*\*\* 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



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;



- 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.



#### 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 03/31/2021 and 03/30/2026

# 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.



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**Condition 2:** Fees

Effective between the dates of 03/31/2021 and 03/30/2026

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 03/31/2021 and 03/30/2026

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 03/31/2021 and 03/30/2026

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 03/31/2021 and 03/30/2026



# 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 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.



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All semiannual reports 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). 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 7/30/2021. Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification** 

Effective between the dates of 03/31/2021 and 03/30/2026

# 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 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 8 Headquarters 6274 East Avon-Lima Road Avon, NY 14414-9519

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)



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Reports due 30 days after the reporting period. The initial report is due 1/30/2022. Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification** 

Effective between the dates of 03/31/2021 and 03/30/2026

# 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. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

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 03/31/2021 and 03/30/2026

#### 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 03/31/2021 and 03/30/2026

# 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.



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# **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 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



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be specified as "not applicable".]

**Condition 10:** Maintenance of Equipment

Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 6 NYCRR 200.7

#### Item 10.1:

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

**Condition 11:** Recycling and Salvage

Effective between the dates of 03/31/2021 and 03/30/2026

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 03/31/2021 and 03/30/2026

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 03/31/2021 and 03/30/2026

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 03/31/2021 and 03/30/2026

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



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#### 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 03/31/2021 and 03/30/2026

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 03/31/2021 and 03/30/2026

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: Required Emissions Tests
Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 6 NYCRR 202-1.1

Item 17.1:



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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 18: Accidental release provisions.

Effective between the dates of 03/31/2021 and 03/30/2026

# Applicable Federal Requirement:40 CFR Part 68

#### Item 18.1:

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 19: Recycling and Emissions Reduction** 

Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 40CFR 82, Subpart F

### Item 19.1:

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 20:** Emission Unit Definition

Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Air Pollution Control Permit Conditions



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#### Item 20.1:

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

Emission Unit: P-00001 Emission Unit Description:

> Steel Joist Manufacturing, Bridging Line Dip Tank, Combo Line Dip Tank, Swing Line Dip Tank, Structural Steel Spray Paint Process, Superlong Span Line Dip Tank. Emissions from coating and welding are fugitive.

Building(s): 1

#### Item 20.2:

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

Emission Unit: P-00002 Emission Unit Description:

STEEL DECK MANUFACTURING; EMISSION POINTS ARE 2 HEATERS ON THE WASH TANK (EP 00004) AND 2 HEATERS ON THE RINSE TANK (EP00005). VOC EMISSIONS FROM THE COATING OPERATIONS ARE FUGITIVE.

Building(s): 2

Condition 21: Progress Reports Due Semiannually
Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 6 NYCRR 201-6.4 (d) (4)

### Item 21.1:

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 22: Operational Flexibility
Effective between the dates of 03/31/2021 and 03/30/2026

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

# Item 22.1:

A permit modification is not required for changes that are provided for in the permit. Such changes include approved alternate operating scenarios and changes that have been submitted and approved pursuant to an established operational flexibility protocol and the requirements of this section. Each such change cannot be a modification under any provision of Title I of the



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Clean Air Act or exceed, or cause the facility to exceed, an emissions cap or limitation in the permit. The facility owner or operator must incorporate all changes into any compliance certifications, record keeping, and/or reporting required by the permit.

# Condition 23: Compliance Certification Effective between the dates of 03/31/2021 and 03/30/2026

#### Applicable Federal Requirement: 6 NYCRR 201-6.4 (f) (2)

#### 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:

Operational Flexibility Protocol

I. Protocol Objective

The objective of this condition is to enable operational flexibility at the facility by building the capability to make certain changes pursuant to this protocol into the Title V permit. As provided under 6 NYCRR Part 201-6.4(f), changes made under an approved protocol are not subject to the Title V permit modification provisions under 6 NYCRR Part 201-6.6 unless required by the Department pursuant to 201-6.4(f)(4).

- II. Protocol
- A. Criteria
- 1. Changes reviewed under this protocol shall be evaluated in accordance with the following criteria:
- a. All underlying federal and state requirements with which the new or changed operation or emission source must comply must exist in the Title V permit. Existing permit conditions may be amended to reference or include the new or changed operation or emission source and any related information, and/or subject to the Department's approval, new conditions proposed, to provide the appropriate monitoring parameters.
- b. Any new or changed emission source shall not be part of a source project that results in a significant net emission increase that exceeds the New Source Review (NSR) thresholds identified in 6 NYCRR Part 231.
- c. The facility shall not use the protocol to make



> physical changes or changes in the method of operation of existing emissions sources that would require a new or modified federally enforceable emissions cap. Such changes must be addressed via the significant permit modification provisions.

- B. Notification Requirements for Changes Reviewed under the Protocol
- 1. The facility shall notify the Department in writing of the proposed change at least 15 days in advance of making the proposed change.
- 2. Notifications made in accordance with this protocol must include the following information:
- a. Identification of the Title V permit emission unit, process(es), emission source(s) and emission point(s) affected by the proposed change with applicable revisions to the Emission Unit structure;
- b. Description of the proposed change, including operating parameters affected;
- c. Identification and description of emissions control device or technology that will be used; and
- d. Documentation of the project's, or emission source's, compliance with respect to all state and/or federally applicable requirements, including the following:
- i. Calculations demonstrating the emission rate potential and maximum projected annual actual emission rates for all contaminants affected by the change;
- ii. Documentation demonstrating that the change is not subject to the New Source Review requirements described in 6 NYCRR Part 231;
- iii. Identification and evaluation of all state and federal regulations applicable to the proposed change;
- iv. A description of any additional operating and record keeping procedures necessary to ensure compliance with all applicable requirements; and
- v. Any other relevant information used for the evaluation of the proposed change under this protocol.
- e. Any other relevant information used for the evaluation



of the proposed project or emission source under the Protocol.

- C. Review and Approval of Changes
- 1. The Department shall respond to the permittee in writing with a determination within 15 days of receipt of the notification required by Section II.B of this protocol.
- 2. The Department may require a permit modification in order to impose new applicable requirements or additional permit conditions if it determines that changes proposed pursuant to the notification do not meet the criteria under Section II. A above or that the changes may have a significant air quality impact or be otherwise potentially significant under SEQRA (6 NYCRR Part 617).
- 3. The Department may require that the permittee not undertake the proposed change until it completes a more detailed review of the proposed change, which may include potential air quality impacts and/or applicable requirements. The Department's determination shall include a listing of information required for further review, if necessary.
- D. Additional Compliance Obligations for Changes Made Under this Protocol
- 1. Upon commencement of the change, the facility shall comply with all applicable requirements and permit conditions, including any amended or proposed in accordance with II.A.1.a above.
- 2. The facility shall provide with the semiannual monitoring report, a summary of the changes made in accordance with this protocol and a statement of the compliance status of each. Changes reported should include all those made during the corresponding period and any earlier changes that have not yet been incorporated into the permit.
- 3. The facility shall include each change made pursuant to this protocol in the next application for permit modification or renewal, whichever is first. Changes made pursuant to this protocol are not subject to the permit shield provisions described in 6 NYCRR 201-6.4(g) until they are incorporated into the Title V permit.
- 4. The facility shall maintain a record of each change



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made pursuant to this protocol at the facility and shall make such records available to the Department upon request.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR) Reports due 30 days after the reporting period. The initial report is due 7/30/2021. Subsequent reports are due every 6 calendar month(s).

Condition 24: Facility Permissible Emissions
Effective between the dates of 03/31/2021 and 03/30/2026

# Applicable Federal Requirement: 6 NYCRR 201-7.1

#### Item 24.1:

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

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

CAS No: 0NY100-00-0 PTE: 49,800 pounds per year

Name: TOTAL HAP

**Condition 25:** Capping Monitoring Condition

Effective between the dates of 03/31/2021 and 03/30/2026

# Applicable Federal Requirement: 6 NYCRR 201-7.1

# Item 25.1:

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

40 CFR Part 63, Subpart MMMM 40 CFR Part 63, Subpart SSSS

# Item 25.2:

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

#### Item 25.3:

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

#### Item 25.4:

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



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period and a comparison to the threshold levels that would require compliance with an applicable requirement.

#### Item 25.5:

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 25.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

#### Item 25.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

This facility is capped at less than 25 tons per year of Total Hazardous Air Pollutant emissions (HAP), calculated on a rolling 12-month basis. This limit, along with individual HAP capping limitations, caps the facility below Major Source of NESHAP V applicability, specifically 40 CFR 63.MMMM and 40 CFR 63.SSSS.

The facility will utilize all pertinent information including but not limited to material usage, production records and credible emission factors to accurately calculate HAP emissions. HAP emissions will be calculated monthly for all regulated sources identified in this ATV permit and all other sources capable of emitting greater than 1 ton per year of HAP. Additionally, HAP emissions from all other sources at the facility incapable of emitting 1 ton per year of HAP, whether specifically exempted or not, will be calculated no later than triennially and average monthly HAP emissions from these sources will be calculated. All HAP sources includes fugitive sources.

Each month, total facility monthly HAP emissions will be calculated as described above and added to the previous 11 month's emissions to verify ongoing compliance with the emissions cap.

All emission factors, calculations and emissions data are subject to Department approval and will be readily available to the Department upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT



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Process Material: MATERIAL

Upper Permit Limit: 25 tons per year Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

**Condition 26:** Capping Monitoring Condition

Effective between the dates of 03/31/2021 and 03/30/2026

# Applicable Federal Requirement: 6 NYCRR 201-7.1

#### Item 26.1:

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

40 CFR Part 63, Subpart MMMM 40 CFR Part 63, Subpart SSSS

#### Item 26.2:

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

#### Item 26.3:

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

#### Item 26.4:

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 26.5:

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 26.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP



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#### Item 26.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

This facility is capped at less than 10 tons per year of any single Hazardous Air Pollutant emissions (HAP), calculated on a rolling 12-month basis. This limit, along with the Total HAP capping limitation, caps the facility below Major Source of NESHAP applicability, specifically 40 CFR 63.MMMM and 40 CFR 63.SSSS.

The facility will utilize all pertinent information including but not limited to material usage, production records and credible emission factors to accurately calculate HAP emissions. HAP emissions will be calculated monthly for all regulated sources identified in this ATV permit and all other sources capable of emitting greater than 1 ton per year of HAP. Additionally, HAP emissions from all other sources at the facility incapable of emitting 1 ton per year of HAP, whether specifically exempted or not, will be calculated no later than triennially and average monthly HAP emissions from these sources will be calculated. All HAP sources includes fugitive sources.

Each month, individual monthly HAP emissions will be calculated as described above and added to the previous 11 month's emissions to verify ongoing compliance with the emissions cap.

All emission factors, calculations and emissions data are subject to Department approval and will be readily available to the Department upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: MATERIAL Upper Permit Limit: 10 tons per year Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

Condition 27: Visible Emissions Limited
Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 6 NYCRR 211.2



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#### Item 27.1:

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 28: Compliance Certification
Effective between the dates of 03/31/2021 and 03/30/2026

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

#### Item 28.1:

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

Emission Unit: P-00001

Process: 001

Emission Unit: P-00001

Process: 002

Emission Unit: P-00002

Process: 004

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

#### Item 28.2:

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, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of an EPA Reference Test Method 9 opacity evaluation at any time during facility operation.

The facility owner or operator will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies monthly while the process is in operation. The facility owner or operator will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The facility owner or operator shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the



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standard continue, the facility owner or operator will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations including any Method 9 visible observations, investigations, and corrective actions are to be maintained on site in a format acceptable to the Department for a period of at least five years from the date of the record. All records kept pursuant to this condition must be provided to the Department upon request.

Parameter Monitored: OPACITY Upper Permit Limit: 20 percent

Reference Test Method: EPA Reference Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

**DESCRIPTION** 

Averaging Method: 6-MINUTE AVERAGE (METHOD 9) Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

# Condition 29: Compliance Certification Effective between the dates of 03/31/2021 and 03/30/2026

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

# Item 29.1:

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

Emission Unit: P-00001

Process: 001

Emission Unit: P-00001

Process: 002

Emission Unit: P-00002

Process: 004

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

# Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The control of particulate emissions released from new

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and modified process emission sources.

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

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

The Department reserves the right to perform or require the performance of a Method 5 emissions evaluation at any time.

The facility owner or operator will conduct compliance verifications semi-annually. These verifications include review of pertinent information relating to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The facility owner or operator will confirm that during source operation all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure compliance with the particulate emission rate. These semi-annual compliance verifications do not include a Method 5 emissions evaluation.

Additionally, the facility owner or operator will investigate, in a timely manner, any instance where there is cause to believe that particulate emissions above 0.050 gr/dscf are occurring or have occurred. These instances include but are not limited to process upsets, control device malfunctions or problems, abnormal visible emissions, complaints, etc. The facility owner or operator shall determine the cause of any exceedance, make the necessary correction, and verify that the excess emissions problem has been corrected.

Records of emissions observations or testing, investigations and corrective actions will be maintained on site in a format acceptable to the Department for a period of at least five years from the date of the record. All records kept pursuant to this condition must be provided to the Department upon request and a summary will be included in the semi-annual monitoring reports.



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Upper Permit Limit: .05 grains per dscf

Reference Test Method: EPA Reference Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

**DESCRIPTION** 

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

Condition 30: Once in always in

Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 6 NYCRR 228-1.1 (a) (3)

#### Item 30.1:

Any coating line that is or becomes subject to the provisions of Subpart 228-1 will remain subject to these provisions even if the annual potential to emit or actual emissions of VOCs for the facility later falls below the thresholds set forth in Subdivision 228-1.1(a).

# Condition 31: Surface Coating- Prohibitions Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 6 NYCRR 228-1.3 (c)

#### Item 31.1:

- (1) No person shall sell, supply, offer for sale, solicit, use, specify, or require for use, the application of a coating on a part or product at a facility with a coating line described in Subpart 228-1.1(a) if such sale, specification, or use is prohibited by any of the provisions of this Subpart. The prohibition shall apply to all written or oral contracts under the terms of which any coating is to be applied to any part or product at an affected facility. This prohibition shall not apply to the following:
- (i) coatings utilized at surface coating lines where control equipment has been installed to meet the maximum permitted VOC content limitations specified in the tables of Subpart 228-1.4;
- (ii) coatings utilized at surface coating lines where a coating system is used which meets the requirements specified in Subpart 228-1.5(d); and
- (iii) coatings utilized at surface coating lines that have been granted variances pursuant to Subpart 228-1.5(e).
- (2) Any person selling a coating for use in a coating line subject to Subpart 228-1 must, upon request, provide the user with certification of the VOC content of the coating supplied.

Condition 32: Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026



### Applicable Federal Requirement: 6 NYCRR 231-2.5 (a)

#### Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

#### Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

LAER (Lowest Achievable Emission Rate) must be applied at new major facilities of VOC. To achieve this, coatings shall comply with the limits outlined in the May 11, 2000 LAER determination, as superceded by the demonstration contained in the November 20, 2003 comments on revised Title V permit.

- 1)Joist operations shall employ either water-based dip coatings or flow coatings that shall not exceed 4.5 lbs VOC/gallon of solids applied using the procedures set forth in 40CFR63, Subpart MMMM, converting references to HAP to VOC for purposes of demonstrating VOC compliance.
- 2)Bridging operations shall employ water-based flow coatings that shall not exceed 1.25 lbs VOC/gallon of solids applied using the procedures set forth in 40CFR63, Subpart MMMM, converting references to HAP to VOC for purposes of demonstrating VOC compliance.
- 3)Decking operations shall employ water-based coatings that shall not exceed 1.0 lbs VOC/gallon of solids applied using the procedures set forth in 40CFR63, Subpart SSSS, converting references to HAP to VOC for purposes of demonstrating VOC compliance.

Compliance with these limits shall be determined as follows: No later than the tenth calendar day of each month, the facility shall, for each type of operation, calculate the weighted average pounds of VOC per gallon of coating solids as applied for the preceding twelve months. This rolling twelve-month average shall be less than the limits enumerated above. Records of these calculations shall be retained by the facility and submitted annually.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR) Reports due 30 days after the reporting period.



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The initial report is due 7/30/2021. Subsequent reports are due every 6 calendar month(s).

Condition 33: Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 6 NYCRR 231-2.9 (a)

## Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

#### Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

Vulcraft shall obtain and use Emission Reduction Credits for 200.05 tons per year of VOCs, as listed in the June 13, 2000 ERC forms.

To satisfy the emission offset requirements of Part 231 for the proposed source project, the facility has obtained VOC Emission Reduction Credits (ERCs) from the following sources:

- 1. General Electric Company, TDIS, Fort Edward, NY (553300009): 31.48 tons
- 2. ITT Automotive, Inc., (80261400192): 18.89 tons
- 3. General Motors Corp. (3553400104): 100 tons
- 4. Karg Bros. (5170800012): 30.68 tons
- 5. Newcomer Products, Inc (Pennsylvania Dept of Environmental Protection ERC Registry): 19 tons (Obtained on 2/10/2003.)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

Condition 34: Change in information already provided Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement:40CFR 63.9(j), Subpart A

## Item 34.1:

Any change in the information already provided under 40 CFR 63.9 shall be provided to the Administrator within 15 calendar days after the change. The owner or operator of a major source



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that reclassifies to area source status is also subject to the notification requirements of 40 CFR 63.9(j). The owner or operator may use the application for reclassification with the regulatory authority (e.g., permit application) to fulfill the requirements of 40 CFR 63.9(j). A source which reclassified after January 25, 2018, and before January 19, 2021, and has not yet provided the notification of a change in information is required to provide such notification no later than February 2, 2021, according to the requirements of 40 CFR 63.9(k). Beginning January 19, 2021, the owner or operator of a major source that reclassifies to area source status must submit the notification according to the requirements of 40 CFR 63.9(k). A notification of reclassification must contain the following information:

- (1) The name and address of the owner or operator;
- (2) The address (i.e., physical location) of the affected source;
- (3) An identification of the standard being reclassified from and to (if applicable); and
- (4) Date of effectiveness of the reclassification.

Condition 35: Determination of Applicability of Major Source Rules Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 40CFR 63.10(b)(3), Subpart A

#### Item 35.1:

An owner or operator that determines his or her existing or new stationary source is in the source category regulated by a standard established pursuant to section 112 of the Act, but that source is not subject to the relevant standard (or other requirement established under this part) because of enforceable limitations on the source's potential to emit, or the source otherwise qualifies for an exclusion, must keep a record of the applicability determination. The applicability determination must be kept on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source subject to the relevant standard (or other requirement established under part 63), whichever comes first if the determination is made prior to January 19, 2021. The applicability determination must be kept until the source changes its operations to become an affected source subject to the relevant standard (or other requirement established under this part) if the determination was made on or after January 19, 2021. The record of the applicability determination must be signed by the person making the determination and include an emissions analysis (or other information) that demonstrates the owner or operator's conclusion that the source is unaffected (e.g., because the source is an area source). The analysis (or other information) must be sufficiently detailed to allow the Administrator to make an applicability finding for the source with regard to the relevant standard or other requirement. If applicable, the analysis must be performed in accordance with requirements established in relevant subparts of part 63 for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112 of the Act, if any. The requirements to determine applicability of a standard under 40 CFR 63.1(b)(3) and to record the results of that determination under 40 CFR 63.10(b)(3) shall not by themselves create an obligation for the owner or operator to obtain a title V permit.

Condition 36: Applicability
Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement: 40CFR 63, Subpart ZZZZ



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#### Item 36.1:

Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

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

## Condition 37: Emission Point Definition By Emission Unit Effective between the dates of 03/31/2021 and 03/30/2026

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

## Item 37.1:

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

Emission Unit: P-00001

Emission Point: 00001

Height (ft.): 47 Diameter (in.): 18

NYTMN (km.): 4651.55 NYTME (km.): 366.03 Building: 1

Emission Point: 00003

Height (ft.): Length (in.): Width (in.):

NYTMN (km.): 4651.55 NYTME (km.): 366.03 Building: 1

Emission Point: 00004

Height (ft.): Length (in.): Width (in.):

NYTMN (km.): 4651.55 NYTME (km.): 366.03 Building: 1

Emission Point: 00006

Height (ft.): Length (in.): Width (in.):

NYTMN (km.): 4651.55 NYTME (km.): 366.03 Building: 1

Emission Point: 00008

Height (ft.): 44 Length (in.): Width (in.):

NYTMN (km.): 4651.55 NYTME (km.): 366.03 Building: 1

## Item 37.2:

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

Emission Unit: P-00002

Emission Point: 00009

Height (ft.): 57 Diameter (in.): 20

NYTMN (km.): 4651.55 NYTME (km.): 366.03 Building: 2

Emission Point: 00010

Height (ft.): 59 Diameter (in.): 40

NYTMN (km.): 4651.55 NYTME (km.): 366.03 Building: 2

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Emission Point: 00011

Height (ft.): 58 Diameter (in.): 40

NYTMN (km.): 4651.55 NYTME (km.): 366.03 Building: 2

Condition 38: Process Definition By Emission Unit

Effective between the dates of 03/31/2021 and 03/30/2026

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

#### Item 38.1:

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

Emission Unit: P-00001

Process: 001 Source Classification Code: 4-02-002-10

Process Description: STEEL JOIST COATING OPERATIONS

Emission Source/Control: 00001 - Process

Emission Source/Control: 00003 - Process

Emission Source/Control: 00004 - Process

Emission Source/Control: 00006 - Process

Emission Source/Control: 00008 - Process

Emission Source/Control: 00014 - Process

Emission Source/Control: 00016 - Process

#### Item 38.2:

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

Emission Unit: P-00001

Process: 002 Source Classification Code: 3-09-005-00

Process Description: JOIST WELDING OPERATIONS

Emission Source/Control: 00013 - Process

#### Item 38.3:

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

Emission Unit: P-00002

Process: 004 Source Classification Code: 4-02-018-99

Process Description: Steel deck coating operations.

Emission Source/Control: 00009 - Process

Emission Source/Control: 00010 - Process

Emission Source/Control: 00011 - Process

Emission Source/Control: 00012 - Process

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Emission Source/Control: 00015 - Process

**Condition 39: Compliance Certification** 

Effective between the dates of 03/31/2021 and 03/30/2026

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

#### Item 39.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

## Item 39.2:

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, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is



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inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY Upper Permit Limit: 20 percent Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

**DESCRIPTION** 

Averaging Method: 6-MINUTE AVERAGE (METHOD 9) Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

**Condition 40:** Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 6 NYCRR 228-1.3 (b)

### Item 40.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 001

## Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

(1) Except as provided for in paragraph (2) below, the owner or operator of any emission source subject to this Subpart must maintain and, upon request, provide the department with a certification from the coating supplier/manufacturer which lists the parameters used to determine the actual VOC content of each as applied coating used at the facility. In addition, purchase, usage and/or production records of the coating material, including solvents, must be maintained in a format acceptable to the department and, upon request, these records must be submitted to the department within 90 days of receiving the request. Any facility required to perform the overall removal efficiency calculation set forth in Equation 2 of section 228-1.5(c) of this Subpart, must maintain records to verify the parameters used in the calculation. A facility owner or operator must maintain a record that identifies each air cleaning device that has



an overall removal efficiency of at least 90 percent. Any additional information required to determine compliance with this Part must be provided to the department in a format acceptable to the department. All records required by this paragraph must be maintained at the facility for a period of five years.

(2) Owners and operators of emission sources not subject to Part 228-1 as set forth in section 228-1.1(b)(9) or (13), or those sources that are using coatings not subject to specific requirements of tPart 228-1 as set forth in 228-1.3(e)(2), or 228-1.4(b)(5)(iii)(e), (i) or (iv), must maintain records on an as used basis. The records must include the relevant regulatory citation of each exemption and quantity of coating used. If the exemption criteria are based on VOC usage, the records must contain calculations and supplier/manufacturer material data sheets for verification of VOC usage. All records required by this paragraph must be maintained at the facility for a period of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

# Condition 41: Compliance Certification Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 6 NYCRR 228-1.3 (d)

## Item 41.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 001

## Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

Within the work area(s) associated with a coating line, the owner or operator of a facility subject to 6 NYCRR Part 228-1 must:

(1) use closed, non-leaking containers to store or dispose of cloth or other absorbent applicators impregnated with VOC solvents that are used for surface preparation, cleanup or coating removal;



- (2) store in closed, non-leaking containers spent or fresh VOC solvents to be used for surface preparation, cleanup or coating removal;
- (3) not use VOC solvents to cleanup spray equipment unless equipment is used to collect the cleaning compounds and to minimize VOC evaporation;
- (4) not use open containers to store or dispense surface coatings and/or inks unless production, sampling, maintenance or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purpose of applying a coating material to a substrate. These devices may include, but are not limited to: spray guns, flow coaters, dip tanks, rollers, knife coaters, and extrusion coaters;
- (5) not use open containers to store or dispose of spent surface coatings, or spent VOC solvents;
- (6) minimize spills during the handling and transfer of coatings and VOC solvents; and
- (7) clean hand held spray guns by one of the following:
- (i) an enclosed spray gun cleaning system that is kept closed when not in use;
- (ii) non-atomized discharge of VOC solvent into a paint waste container that is kept closed when not in use;
- (iii) disassembling and cleaning of the spray gun in a vat that is kept closed when not in use; or
- (iv) atomized spray into a paint waste container that is fitted with a device designed to capture atomized VOC solvent emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

Condition 42: Compliance Certification
Effective between the dates of 03/31/2021 and 03/30/2026



## Applicable Federal Requirement:6 NYCRR 228-1.4 (b) (4)

#### Item 42.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

### Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

228-1 B4: Miscellaneous metal parts coatings

Miscellaneous metal parts coatings may not use coatings with VOC contents, as applied, which exceed the limits specified in table B4 of 6 NYCRR Part 228-1.

One or more of the following application techniques must be used to apply the coating:

- (i) flow/curtain coating;
- (ii) dip coating;
- (iii) cotton-tipped swab application;
- (iv) electro-deposition coating;
- (v) high volume low pressure spraying;
- (vi) electrostatic spray;
- (vii) airless spray, (including air assisted);
- (viii) airbrush application methods for stenciling, lettering, and other identification markings; or
- (ix) other coating application methods approved by the department which can demonstrate transfer efficiencies equivalent to or greater than high volume low pressure spray.

For miscellaneous metal parts coating the following types of coatings and coating operations are exempt from the VOC content limits of table B4:



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- (a) stencil coating;
- (b) safety-indicating coatings;
- (c) solid-film lubricants;
- (d) electric-insulating and thermal-conducting coatings;
- (e) magnetic data storage disk coatings; and
- (f) plastic extruded into metal parts to form a coating.

A facility containing a coating line (other than a class A coating line) may use up to 55 gallons of coatings (facility wide) on a 12-month rolling total basis which does not comply with the VOC content limits set forth in Part 228-1.4; provided such use is recorded in accordance with the requirements of 228-1.3(b)(2).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

# Condition 43: Compliance Certification Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 6 NYCRR 228-1.6 (a)

## Item 43.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 001

## Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

Upon request by the Department, the owner or operator of an emission source subject to 6 NYCRR Part 228-1 must determine the actual VOC content of an as applied coating by measuring the volatile content, water content, density, volume of solids, and weight of solids in accordance with EPA Reference Test Method 311 or Method 24, included in Appendix A of 40 CFR parts 63 and 60 respectively, to demonstrate compliance with the requirements of Part 228-1.



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An alternate sampling method that has been approved by both the Department and the Administrator may be used when Method 311 and/or Method 24 are not appropriate.

Reference Test Method: EPA Reference Test Method 311 or 24

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

**DESCRIPTION** 

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 44:** Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 6 NYCRR 228-1.6 (h)

#### Item 44.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 001

#### Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

Any information or record showing noncompliance with the requirements of 228-1 'Surface Coating Processes' must be reported to the department within 30 days following notice or generation of the information or record. All records required by this condition must be maintained at the facility for a period of five years.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 45:** Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement:40CFR 63.11516(f), Subpart XXXXXX

## Item 45.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 002

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

## Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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## Monitoring Description:

For all welding operations which use metal fabrication HAPs (MFHAP) as defined in §63.11522, the facility must comply with the requirements listed in §63.11516(f)(1) and (2).

If the welding operations at the facility use at least 2000 pounds per year, calculated on a 12-month total, rolled monthly, of welding rods which contain one or more of the metal fabrication HAPs, then the facility must demonstrate that management practices or fume control measures are being implemented by complying with the requirements listed in §63.11516(f)(3)-(8).

Reporting Requirements: SEMI-ANNUALLY (CALENDAR) Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

**Condition 46: Compliance Certification** 

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 40CFR 63.11517, Subpart XXXXXX

#### Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 002

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

## Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Visual emissions will be monitored according to the procedures of EPA Method 22 and/or EPA Method 9 at a frequency determined by §63.11517.

Parameter Monitored: OPACITY Upper Permit Limit: 20 percent

Reference Test Method: Method 9 or 22

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 7/30/2021.

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

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**Condition 47: Compliance Certification** 

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 40CFR 63.11519(b), Subpart XXXXXX

#### Item 47.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 002

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

## Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any facility subject to the provisions in 40 CFR 63, subpart XXXXXX must prepare and submit annual certification and compliance reports for each affected source according to the requirements of §63.11519(b)(2)-(6).

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

**Condition 48:** Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement:40CFR 63.11519(c), Subpart XXXXXX

## Item 48.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Process: 002

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

## Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must collect and keep records of the data and information specified in §63.11519(c)(1)-(14), according to the provisions in §63.11519(c)(15).

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Reporting Requirements: ANNUALLY (CALENDAR) Reports due 30 days after the reporting period. The initial report is due 1/30/2022. Subsequent reports are due every 12 calendar month(s).

Condition 49: Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement:40CFR 60, NSPS Subpart TT

### Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00002

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

## Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

Deck coating operations are subject the New Source Performance Standards of 40CFR, Subparts A and TT (for Metal Coil Coating.) As such, the VOC content of these coatings may not exceed 0.28 kg VOC per liter of coating (which corresponds to 2.33 pounds VOC per gallon of coating) on a solids applied basis.

Acceptable analytical methods for determining the volatile content, water content, density, volume of solids and weight of solids of surface coatings are presented in 40CFR60, Appendix A, Method 24.

The owner/operator shall maintain, and upon request, provide the Department with certification from the coating supplier or manufacturer which verifies the parameters used to determine the actual VOC content of the as applied coating. Purchase and usage records of the coating material and solvents shall be maintained and submitted to the Department upon request. Calculations and records shall be retained for at least five years, and provided to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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



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**Condition 50:** Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026

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

#### Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00002

Process: 004

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

#### Item 50.2:

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, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to



> revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY Upper Permit Limit: 20 percent Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

**DESCRIPTION** 

Averaging Method: 6-MINUTE AVERAGE (METHOD 9) Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

#### Condition 51: **Compliance Certification**

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 6 NYCRR 228-1.3 (b)

#### Item 51.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00002

Process: 004

## Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

> (1) Except as provided for in paragraph (2) below, the owner or operator of any emission source subject to this Subpart must maintain and, upon request, provide the department with a certification from the coating supplier/manufacturer which lists the parameters used to determine the actual VOC content of each as applied coating used at the facility. In addition, purchase, usage and/or production records of the coating material, including solvents, must be maintained in a format acceptable to the department and, upon request, these records must be submitted to the department within 90 days of receiving the request. Any facility required to perform the overall removal efficiency calculation set forth in Equation 2 of section 228-1.5(c) of this Subpart, must maintain records to verify the parameters used in the calculation. A facility owner or operator must maintain a record that identifies each air cleaning device that has an overall removal efficiency of at least 90 percent. Any additional information required to determine compliance with this Part must be provided to the department in a



format acceptable to the department. All records required by this paragraph must be maintained at the facility for a period of five years.

(2) Owners and operators of emission sources not subject to Part 228-1 as set forth in section 228-1.1(b)(9) or (13), or those sources that are using coatings not subject to specific requirements of tPart 228-1 as set forth in 228-1.3(e)(2), or 228-1.4(b)(5)(iii)(e), (i) or (iv), must maintain records on an as used basis. The records must include the relevant regulatory citation of each exemption and quantity of coating used. If the exemption criteria are based on VOC usage, the records must contain calculations and supplier/manufacturer material data sheets for verification of VOC usage. All records required by this paragraph must be maintained at the facility for a period of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

Condition 52: Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 6 NYCRR 228-1.3 (d)

## Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00002

Process: 004

#### Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

Within the work area(s) associated with a coating line, the owner or operator of a facility subject to 6 NYCRR Part 228-1 must:

- (1) use closed, non-leaking containers to store or dispose of cloth or other absorbent applicators impregnated with VOC solvents that are used for surface preparation, cleanup or coating removal;
- (2) store in closed, non-leaking containers spent or fresh VOC solvents to be used for surface preparation, cleanup or coating removal;



- (3) not use VOC solvents to cleanup spray equipment unless equipment is used to collect the cleaning compounds and to minimize VOC evaporation;
- (4) not use open containers to store or dispense surface coatings and/or inks unless production, sampling, maintenance or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purpose of applying a coating material to a substrate. These devices may include, but are not limited to: spray guns, flow coaters, dip tanks, rollers, knife coaters, and extrusion coaters;
- (5) not use open containers to store or dispose of spent surface coatings, or spent VOC solvents;
- (6) minimize spills during the handling and transfer of coatings and VOC solvents; and
- (7) clean hand held spray guns by one of the following:
- (i) an enclosed spray gun cleaning system that is kept closed when not in use;
- (ii) non-atomized discharge of VOC solvent into a paint waste container that is kept closed when not in use;
- (iii) disassembling and cleaning of the spray gun in a vat that is kept closed when not in use; or
- (iv) atomized spray into a paint waste container that is fitted with a device designed to capture atomized VOC solvent emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR) Reports due 30 days after the reporting period. The initial report is due 7/30/2021.

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

Condition 53: Compliance Certification
Effective between the dates of 03/31/2021 and 03/30/2026

Applicable Federal Requirement:6 NYCRR 228-1.4 (b) (4)

Item 53.1:



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The Compliance Certification activity will be performed for:

Emission Unit: P-00002

Process: 004

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

#### Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

228-1 B4: Miscellaneous metal parts coatings

Miscellaneous metal parts coatings may not use coatings with VOC contents, as applied, which exceed the limits specified in table B4 of 6 NYCRR Part 228-1.

One or more of the following application techniques must be used to apply the coating:

- (i) flow/curtain coating;
- (ii) dip coating;
- (iii) cotton-tipped swab application;
- (iv) electro-deposition coating;
- (v) high volume low pressure spraying;
- (vi) electrostatic spray;
- (vii) airless spray, (including air assisted);
- (viii) airbrush application methods for stenciling, lettering, and other identification markings; or
- (ix) other coating application methods approved by the department which can demonstrate transfer efficiencies equivalent to or greater than high volume low pressure spray.

For miscellaneous metal parts coating the following types of coatings and coating operations are exempt from the VOC content limits of table B4:

- (a) stencil coating;
- (b) safety-indicating coatings;



- (c) solid-film lubricants;
- (d) electric-insulating and thermal-conducting coatings;
- (e) magnetic data storage disk coatings; and
- (f) plastic extruded into metal parts to form a coating.

A facility containing a coating line (other than a class A coating line) may use up to 55 gallons of coatings (facility wide) on a 12-month rolling total basis which does not comply with the VOC content limits set forth in Part 228-1.4; provided such use is recorded in accordance with the requirements of 228-1.3(b)(2).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

## Condition 54: Compliance Certification Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 6 NYCRR 228-1.6 (a)

## Item 54.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00002

Process: 004

#### Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

Upon request by the Department, the owner or operator of an emission source subject to 6 NYCRR Part 228-1 must determine the actual VOC content of an as applied coating by measuring the volatile content, water content, density, volume of solids, and weight of solids in accordance with EPA Reference Test Method 311 or Method 24, included in Appendix A of 40 CFR parts 63 and 60 respectively, to demonstrate compliance with the requirements of Part 228-1.

An alternate sampling method that has been approved by both the Department and the Administrator may be used when



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Method 311 and/or Method 24 are not appropriate.

Reference Test Method: EPA Reference Test Method 311 or 24

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 55:** Compliance Certification

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable Federal Requirement: 6 NYCRR 228-1.6 (h)

## Item 55.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00002

Process: 004

#### Item 55.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

Any information or record showing noncompliance with the requirements of 228-1 'Surface Coating Processes' must be reported to the department within 30 days following notice or generation of the information or record. All records required by this condition must be maintained at the facility for a period of five years.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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

## NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

- (a) The affirmative defense of emergency shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (1) an emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) the equipment at the facility was being properly operated and maintained;
- (3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) the facility owner or operator notified the department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.
- (b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.
- (c) This provision is in addition to any emergency or malfunction provision contained in any applicable requirement.

#### Item B: 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



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standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

## STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.

**Condition 56:** Contaminant List

Effective between the dates of 03/31/2021 and 03/30/2026

Applicable State Requirement: ECL 19-0301

## Item 56.1:

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

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

CAS No: 0NY100-00-0 Name: TOTAL HAP

CAS No: 0NY998-00-0

Name: VOC

Condition 57: Malfunctions and Start-up/Shutdown Activities Effective between the dates of 03/31/2021 and 03/30/2026

Applicable State Requirement: 6 NYCRR 201-1.4

#### Item 57.1:

- (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



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

- (c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, the air contaminants emitted, and the resulting emission rates and/or opacity.
- (d) The department may also require the facility owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.
- (e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

Condition 58: CLCPA Applicability

Effective between the dates of 03/31/2021 and 03/30/2026

Applicable State Requirement: 6 NYCRR 201-6.5 (a)

## Item 58.1:

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

Condition 59: Air pollution prohibited

Effective between the dates of 03/31/2021 and 03/30/2026

**Applicable State Requirement: 6 NYCRR 211.1** 

## Item 59.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such



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quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

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

**Condition 60:** Compliance Demonstration

Effective between the dates of 03/31/2021 and 03/30/2026

## Applicable State Requirement: 6 NYCRR 212-2.1 (a)

#### Item 60.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: P-00001

Process: 002

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

#### Item 60.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

For an air contaminant listed in section 212-2.2 table 2 – high toxicity air contaminant list, of this Subpart, the facility owner or operator shall either limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC; or demonstrate compliance with the air cleaning requirements for the HTAC as specified in subdivision 212-2.3(b), table 4 – degree of air cleaning required for non-criteria air contaminants, of this Subpart for the environmental rating assigned to the contaminant by the department.

Vulcraft will continue to employ welding practices prescribed in 40 CFR 63 Subpart 6X to minimize MFHAP emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

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

Air Pollution Control Permit Conditions

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