

Facility DEC ID: 8263200317

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 8-2632-00317/00001  
Effective Date: 01/20/2021 Expiration Date: 01/19/2031

Permit Issued To: MWI INC  
1269 BRIGHTON HENRIETTA TOWN LINE RD  
ROCHESTER, NY 14623

Contact: BRIAN D MCMAHON  
MWI INC  
1269 BRIGHTON HENRIETTA TOWN LINE RD  
ROCHESTER, NY 14623  
(585) 424-4200

Facility: MWI FACILITY  
1269 BRIGHTON-HENRIETTA TOWNLINE RD  
HENRIETTA, NY 14623

Contact: BRIAN J CRANMER  
MWI INC  
1269 BRIGHTON HENRIETTA TOWN LINE RD  
ROCHESTER, NY 14623  
(585) 424-4200

Description:

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: KIMBERLY A MERCHANT  
6274 E AVON LIMA RD  
AVON, NY 14414-9519

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

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### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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**Facility Level**

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**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**  
**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**  
 The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**  
 The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**  
 A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**  
**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**  
 Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

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

**Item 3.1:**  
 The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**  
 The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

**Item 3.3**  
 Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

**Condition 4: Permit modifications, suspensions or revocations by the Department**

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**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

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

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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Permit Issued To: MWI INC  
1269 BRIGHTON HENRIETTA TOWN LINE RD  
ROCHESTER, NY 14623

Facility: MWI FACILITY  
1269 BRIGHTON-HENRIETTA TOWNLINE RD  
HENRIETTA, NY 14623

Authorized Activity By Standard Industrial Classification Code:  
3624 - CARBON AND GRAPHITE PRODUCTS

Permit Effective Date: 01/20/2021

Permit Expiration Date: 01/19/2031

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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 1/FINAL

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

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



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

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Item E: Recycling and Salvage - 6 NYCRR 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Item F: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8**

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Item G: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item H: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)**

The owner and/or operator of an emission source or unit

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that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item I: Required Emission Tests - 6 NYCRR 202-1.1**

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

**Item J: Open Fires Prohibitions - 6 NYCRR 215.2**

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item K: Permit Exclusion - ECL 19-0305**

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

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

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

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emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1: Maintenance of Equipment**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 1.1:**

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

**Condition 2: Visible Emissions Limited**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 2.1:**

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 3: Compliance Demonstration**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 3.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Except as permitted by a specific part of Title 6 of the

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NYCRR, 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.

Operators of air contamination sources that are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
  - weather condition
  - was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

- 3) If the operator observes any visible emissions (other than steam - see below) two consecutive days, then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**\*\* NOTE \*\*** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent

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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 4: Compliance Demonstration**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

**Applicable Federal Requirement: 6 NYCRR 200.7**

**Item 4.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: M-00001

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Furnace emissions are controlled while the furnaces are in operation using wet scrubber systems. To ensure proper operation of the wet scrubbers, the pH of the scrubbing liquid must not fall outside the range of 8.5 to 14. To demonstrate compliance with this requirement the facility must monitor and record the pH of the scrubbing liquid once per furnace run, at minimum, using a pH meter. Records of pH monitoring must be kept by the facility in a format acceptable to the Department.

The Department reserves the right to perform or request a performance test of the wet scrubbing systems at any time.

Parameter Monitored: PH

Lower Permit Limit: 8.5 pH (STANDARD) units

Upper Permit Limit: 14 pH (STANDARD) units

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL  
CHANGE

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED  
RANGE AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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**STATE ONLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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

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

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Facility owners and/or operators must submit the records

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required to comply with the request within sixty working days of written notification by the Department.

**Item C: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 5: Contaminant List**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 5.1:**

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

CAS No: 007439-92-1  
 Name: LEAD

CAS No: 007439-96-5  
 Name: MANGANESE

CAS No: 007439-97-6  
 Name: MERCURY

CAS No: 007440-02-0  
 Name: NICKEL METAL AND INSOLUBLE COMPOUNDS

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CAS No: 007440-36-0  
Name: ANTIMONY

CAS No: 007440-38-2  
Name: ARSENIC

CAS No: 007440-41-7  
Name: BERYLLIUM

CAS No: 007440-43-9  
Name: CADMIUM

CAS No: 007440-47-3  
Name: CHROMIUM

CAS No: 007440-48-4  
Name: COBALT

CAS No: 007647-01-0  
Name: HYDROGEN CHLORIDE

CAS No: 007782-41-4  
Name: FLUORINE

CAS No: 007782-49-2  
Name: SELENIUM

CAS No: 007782-50-5  
Name: CHLORINE

CAS No: 0NY075-00-5  
Name: PM-10

**Condition 6: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 6.1:**

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

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or



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operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

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

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

**Condition 7: Emission Unit Definition**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 7.1:**

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

Emission Unit: M-00001

Emission Unit Description:

This emission unit includes the thermal processing of graphite and engineered carbon to remove impurities using three electrically heated furnaces.

Building(s): 1255  
1269

**Condition 8: Renewal deadlines for state facility permits**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 8.1:**

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

**Condition 9: CLCPA Applicability**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 9.1:**

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 10: Compliance Demonstration**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 10.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Division of Air Resources  
 NYS Dept. of Environmental Conservation  
 Region 8  
 6274 East Avon-Lima Rd.  
 Avon, NY 14414

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 11: Air pollution prohibited**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 11.1:**

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

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

**Condition 12: Emission Point Definition By Emission Unit  
Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 12.1:**

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

Emission Unit: M-00001

Emission Point: SCRUI1

Height (ft.): 28                      Diameter (in.): 8  
 NYTMN (km.): 4774.53      NYTME (km.): 284.63      Building: 1255

Emission Point: SCRUI2

Height (ft.): 28                      Diameter (in.): 8  
 NYTMN (km.): 4774.53      NYTME (km.): 284.63      Building: 1255

Emission Point: SCRUI3

Height (ft.): 28                      Diameter (in.): 8  
 NYTMN (km.): 4774.53      NYTME (km.): 284.63      Building: 1255

**Condition 13: Process Definition By Emission Unit  
Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 13.1:**

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

Emission Unit: M-00001

Process: 001                                      Source Classification Code: 3-04-007-04

Process Description:

This process includes thermal processing of graphite and engineered carbon. Synthetic graphite is loaded into an electrically heated, high temperature vacuum furnace to remove impurities from the materials. Reactive and inert carrier gases may be used. The furnace is naturally cooled through vacuum and inert gas flow through. Exhaust gases are cooled through a water jacketed process line and sent to a particulate filter. The exhaust gases are further controlled using a recirculating venturi-type wet scrubber and a counter-flow packed-bed scrubber within the exhaust stack.

Emission Source/Control: FLTR1 - Control  
 Control Type: HIGH EFFICIENCY PARTICULATE AIR FILTER

Emission Source/Control: FLTR2 - Control  
 Control Type: HIGH EFFICIENCY PARTICULATE AIR FILTER

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Emission Source/Control: FLTR3 - Control  
Control Type: HIGH EFFICIENCY PARTICULATE AIR FILTER

Emission Source/Control: SCRUI - Control  
Control Type: WET SCRUBBER, VENTURI SCRUBBER

Emission Source/Control: SCRUII - Control  
Control Type: WET SCRUBBER, VENTURI SCRUBBER

Emission Source/Control: SCRUIII - Control  
Control Type: WET SCRUBBER, VENTURI SCRUBBER

Emission Source/Control: FURNA - Process

Emission Source/Control: FURNB - Process

Emission Source/Control: FURNC - Process

**Condition 14: Compliance Demonstration**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 14.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: M-00001

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

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: UPON REQUEST BY REGULATORY AGENCY

**Condition 15: Compliance Demonstration**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

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Facility DEC ID: 8263200317

**Item 15.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: M-00001

Regulated Contaminant(s):

CAS No: 007439-96-5	MANGANESE
CAS No: 007439-97-6	MERCURY
CAS No: 007440-02-0	NICKEL METAL AND INSOLUBLE

COMPOUNDS

CAS No: 007440-38-2	ARSENIC
CAS No: 007440-41-7	BERYLLIUM
CAS No: 007440-43-9	CADMIUM
CAS No: 007440-47-3	CHROMIUM
CAS No: 007439-92-1	LEAD

**Item 15.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To ensure PTE emissions of the above "High Toxicity Air Contaminant(s)" (HTAC(s)) do not exceed their respective mass emission limit (MEL) under Subdivision 212-2.2, Table 2 - HTAC List, the facility must control furnace emissions using a filter at all times while the furnaces are in operation. To demonstrate compliance with this requirement, the facility must conduct a visual inspection of the filter after each furnace run to determine whether a filter cartridge change is required. Records of filter inspections and changes must be maintained by the facility in a format acceptable to the Department.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 16: Compliance Demonstration**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 16.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: M-00001

Regulated Contaminant(s):

CAS No: 007439-92-1	LEAD
CAS No: 007439-96-5	MANGANESE
CAS No: 007439-97-6	MERCURY
CAS No: 007440-02-0	NICKEL METAL AND INSOLUBLE

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COMPOUNDS

CAS No: 007440-38-2	ARSENIC
CAS No: 007440-43-9	CADMIUM
CAS No: 007440-47-3	CHROMIUM
CAS No: 007440-41-7	BERYLLIUM

**Item 16.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must not allow emissions of the "High Toxicity Air Contaminant(s)" (HTAC(s)) listed above to exceed either the mass emission limits (MELs) in Subdivision 212-2.2, Table 2 - HTAC List or the requirements specified in Subdivision 212-2.3(b), Table 4 - Degree of Air Cleaning Required for Non-Criteria Air Contaminants. The above listed HTACs have been given an Environmental rating of "A" for the associated process emissions source. Based on information submitted to the Department, the listed HTACs have a potential to emit (PTE) less than their respective MEL.

The facility must maintain records to demonstrate that none of the listed HTACs have had increased PTE. Any increase in the PTE of an HTAC will require a reevaluation of its off-site ambient impacts and its environmental rating.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 17: Compliance Demonstration**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

**Applicable State Requirement:6 NYCRR 212-2.3 (b)**

**Item 17.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: M-00001

Regulated Contaminant(s):

CAS No: 007647-01-0	HYDROGEN CHLORIDE
CAS No: 007782-41-4	FLUORINE
CAS No: 007782-50-5	CHLORINE

**Item 17.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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The facility must not allow emissions of the air contaminant(s) listed above to exceed the requirements specified in Subdivision 212-2.3(b), Table 4 - Degree of Air Cleaning Required for Non-Criteria Air Contaminants. The above listed contaminants have been given an Environmental Rating of "B" for the associated process emission source. Based on information submitted to the Department, the listed contaminants have an emission rate potential (ERP) of less than 10 pounds per hour and less than or equal to the PB trigger and therefore must maintain ambient maximum off-site air concentrations less than the annual and short-term guideline concentrations (AGC & SGC).

The facility must maintain records to demonstrate that none of the listed contaminants have had an increased ERP. Any increase in the ERP of a contaminant will require reevaluation of its off-site ambient impacts and its environmental rating.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 18: Compliance Demonstration**  
**Effective between the dates of 01/20/2021 and 01/19/2031**

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

**Item 18.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: M-00001

Regulated Contaminant(s):

CAS No: 007440-36-0	ANTIMONY
CAS No: 007440-48-4	COBALT
CAS No: 007782-49-2	SELENIUM
CAS No: 0NY075-00-5	PM-10

**Item 18.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

For solid particulates that have been given an environmental rating of "B" or "C", the facility will not cause or allow emissions of solid particulates that exceed 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis as specified in Subpart 212-2.4. The above listed contaminants are solid particulates and have been given an

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Environmental Rating of "B".

The facility must investigate, in a timely manner, any instance where there is cause to believe that particulate emissions above 0.050 grains/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 must determine the cause of any exceedance, take necessary corrective actions, and verify that the emissions problem has been corrected. The Department reserves the right to perform or require performance of a Method 5 emissions evaluation at any time.

Records of monitoring, malfunctions or problems, and corrective actions must be maintained by the facility in a format acceptable to the Department.

Parameter Monitored: PM-10

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



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