

Facility DEC ID: 8320500041

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility

Permit ID: 8-3205-00041/00013

Effective Date:

Expiration Date:

Permit Issued To: GUARDIAN INDUSTRIES CORP  
2300 HARMON RD  
AUBURN HILLS, MI 48326-1714

Contact: MEG GARANKANI  
GUARDIAN INDUSTRIES CORP  
2300 HARMON RD  
AUBURN HILLS, MI 48326

Facility: GUARDIAN INDUSTRIES CORP  
50 FORGE AVE  
GENEVA, NY 14456

Contact: CHRISTOPHER NAZELROD  
GUARDIAN INDUSTRIES CORP  
50 FORGE AVE  
GENEVA, NY 14456

Description:  
Renewal 1 of the Air Title V (ATV) permit for the Guardian Industries, LLC. – Geneva Float Glass Facility located in Geneva, New York. The facility manufactures float glass and flat glass fabricated products. Permitted emission units consist of a natural gas-fired (propane backup) glass melting regenerative furnace with a nominal production capacity of 770 tons glass per day (U-FURNC) and manufacturing support operations including material handling (U-BATCH), glass cutting and coating (U-CUTTG), controlled cooling in electric annealing lehr (U-SCRUB). Additionally, emergency natural gas-fired generators (U-POWER) and misc. small natural gas-fired combustion equipment (U-COMBU) that would otherwise be exempt from permitting since they are subject to emission capping, best available control technology (BACT), or lowest achievable emission rate (LAER) requirements.

This Renewal incorporates the following changes made under an approved Operational Flexibility notification during the term of the prior permit: (1) Addition of a second vacuum system and filter (U-BATCH, Process MT2; (2) Modification of electrostatic precipitator (ESP) monitoring parameters. No other major changes have occurred since the prior permit; (3) Addition of portable checker burners for furnace maintenance; and (4) Removal of the batch house boilers (U-COMBU, Emission Sources BHB01 and BHB02). Relocation or removal of permit conditions have been made where necessary as part of this renewal to reflect any changes.

Revisions to permit conditions have been made to reflect updated regulations or to improve clarity. The United States District Court for the Eastern District of Michigan issued a Joint Stipulation that terminated the Geneva facility from the Consent Decree effective July 15, 2021. The limits and requirements set by the Consent Decree remain in effect but have been relocated to 6 NYCRR 201-6 as part of this renewal.

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A federally enforceable emissions capping condition under 6 NYCRR 201-7.1 has been retained as part of this renewal to limit facility CO emissions below the Prevention of Significant Deterioration (PSD) requirements. Prior permits included a 1.4 lbs/hour particulate matter (PM), PM-10, and PM-2.5 limit for Process MAT under 6 NYCRR 212-2.4(b) which was met through the use and monitoring of particulate control devices. This limit was originally included to avoid applicability under 6 NYCRR 231-8 PSD requirements as part of the Renewal 1, Modification 1 significant permit modification to the ATV permit. Accordingly, as part of this Renewal, this limit has been changed to a tons per year capping condition under 201-7.1. The controls and monitoring requirements remain unchanged from prior permits.

The natural gas-fired emergency generators and diesel water pump engines are subject to 40 CFR 63, Subpart ZZZZ NESHAP for Stationary Reciprocating Internal Combustion Engines. The facility owner or operator is responsible for complying with all applicable requirements under Subparts ZZZZ.

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: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Facility DEC ID: 8320500041****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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- 6 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 6 5 Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS

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**DEC GENERAL CONDITIONS****\*\*\*\* General Provisions \*\*\*\***

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

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3**

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

**Facility DEC ID: 8320500041****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

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

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

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2300 HARMON RD  
AUBURN HILLS, MI 48326-1714

Facility: GUARDIAN INDUSTRIES CORP  
50 FORGE AVE  
GENEVA, NY 14456

Authorized Activity By Standard Industrial Classification Code:

3211 - FLAT GLASS  
3231 - PRODUCTS OF PURCHASED GLASS

Permit Effective Date:

Permit Expiration Date:

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 53 46 6 NYCRR Subpart 201-7: Process Permissible Emissions

**EU=U-BATCH,EP=BH003,Proc=MAT,ES=HVAC**  
 53 47 40CFR 52.21(j), Subpart A: Compliance Certification

**EU=U-BATCH,EP=C0001,Proc=MAT,ES=PADCO**  
 54 48 40CFR 52.21(j), Subpart A: Compliance Certification

**EU=U-BATCH,EP=X0001,Proc=MAT,ES=SSSBV**  
 55 49 6 NYCRR 212-2.4 (b): Compliance Certification

**EU=U-BATCH,EP=X0002,Proc=MAT,ES=SSDBV**  
 56 50 6 NYCRR 212-2.4 (b): Compliance Certification

**EU=U-BATCH,EP=X0004,Proc=MT2,ES=VAC2C**  
 57 51 6 NYCRR 212-2.4 (b): Compliance Certification

**EU=U-COMBU,EP=MISC1**

58 52 6 NYCRR 227-1.4 (a): Compliance Certification

**EU=U-CUTTG,Proc=CUT**  
 58 53 6 NYCRR 212-3.1 (a): Compliance Certification

**EU=U-FURNC,Proc=FUR**  
 60 54 6 NYCRR Subpart 201-6: Compliance Certification  
 60 55 6 NYCRR Subpart 201-6: Compliance Certification  
 62 56 6 NYCRR Subpart 201-6: Compliance Certification  
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 64 59 40CFR 60, NSPS Subpart A: Applicability of General  
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 65 60 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.

**EU=U-FURNC,EP=F0001,Proc=FUR**  
 65 61 6 NYCRR Subpart 201-6: Compliance Certification  
 67 62 6 NYCRR Subpart 201-6: Compliance Certification  
 68 63 6 NYCRR Subpart 201-6: Compliance Certification  
 69 64 6 NYCRR Subpart 201-6: Compliance Certification  
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 78 74 6 NYCRR 231-2.5: Compliance Certification  
 80 75 40CFR 52.21(j), Subpart A: Compliance Certification  
 81 76 40CFR 60.292, NSPS Subpart CC: Compliance Certification

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82 77 40CFR 60.292, NSPS Subpart CC: Compliance Certification

**EU=U-POWER,Proc=GEN**

83 78 40CFR 52.21(j), Subpart A: Compliance Certification  
84 79 40CFR 52.21(j), Subpart A: Compliance Certification

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86 80 ECL 19-0301: Contaminant List  
87 81 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities  
88 82 6 NYCRR 201-1.15: Requirement to Commence Construction  
88 83 6 NYCRR 201-6.5 (a): CLCPA Applicability  
88 84 6 NYCRR 211.1: Air pollution prohibited  
89 85 6 NYCRR 212-2.2: Compliance Demonstration  
90 86 6 NYCRR 221.2: Asbestos containing surface coatings prohibited

**Emission Unit Level****EU=U-FURNC**

90 87 6 NYCRR 220-2.4 (a): Compliance Demonstration  
90 88 6 NYCRR 220-2.4 (c): Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.

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## **FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 1/DRAFT

### \*\*\*\* 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**

**Final Application for  
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)**

(d) (12) Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

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

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

**Condition 1: Acceptable Ambient Air Quality  
Effective for entire length of Permit**

**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 for entire length of Permit**

**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 for entire length of Permit**

**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 for entire length of Permit**

**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 for entire length of Permit**

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

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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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.

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

**Condition 6:      Compliance Certification**  
**Effective for entire length of Permit**

**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.

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- 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)  
Reports due 30 days after the reporting period.

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The initial report is due 1/30/2026.

Subsequent reports are due on the same day each year

**Condition 7: Recordkeeping requirements  
Effective for entire length of Permit**

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

**Item 7.1:**

(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 8: Open Fires - Prohibitions  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 8.1:**

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

**Item 8.2**

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

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police or other public safety organization.

- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

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

**Condition 9: Maintenance of Equipment**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 200.7**

**Item 9.1:**

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 10: Recycling and Salvage**  
**Effective for entire length of Permit**

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

**Item 10.1:**

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 11: Prohibition of Reintroduction of Collected Contaminants to the air**

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**Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-1.8****Item 11.1:**

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 12: Exempt Sources - Proof of Eligibility****Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-3.2 (a)****Item 12.1:**

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 13: Trivial Sources - Proof of Eligibility****Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-3.3 (a)****Item 13.1:**

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 14: Requirement to Provide Information****Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)****Item 14.1:**

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 15: Right to Inspect****Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)**

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**Item 15.1:**

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 16: Required Emissions Tests  
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 202-1.1****Item 16.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

**Condition 17: Accidental release provisions.  
Effective for entire length of Permit****Applicable Federal Requirement:40 CFR Part 68****Item 17.1:**

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

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should be submitted to:

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

**Condition 18: Recycling and Emissions Reduction  
Effective for entire length of Permit**

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

**Item 18.1:**

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 19: Emission Unit Definition  
Effective for entire length of Permit**

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

**Item 19.1:**

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

Emission Unit: U-BATCH

Emission Unit Description:

This emission unit includes all materials handling systems and associated dust collection equipment.

Building(s): BATCH  
OUTSIDE  
TUNNEL

**Item 19.2:**

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

Emission Unit: U-COMBU

Emission Unit Description:

This emission unit includes miscellaneous combustion sources including, small space heaters, small diesel engines, small flare, and water heaters. All units are either natural gas fired, propane fired, or diesel fired. Emissions from these sources are subject to facility-wide emission limits for NOx.

Building(s): BATCH  
MAIN  
OUTSIDE



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Iowa vs. Guardian Industries, Civil No. 15-13426). Terms used in this permit that are defined in the Clean Air Act (CAA) or in regulations promulgated pursuant to or authorized by the CAA shall have the meanings assigned to them in the CAA or such regulations, unless otherwise defined below. Terms not defined below, but found in the Consent Decree remain applicable as required under the terms of the Decree.

Whenever the terms set forth below are used in this permit, the following definitions shall apply:

“Abnormally Low Production Rate” shall mean a glass production rate for the Furnace that is at or below 270 tons per day, which reflects 35 percent of the permitted production rate.

“Abnormally Low Production Rate Day” shall mean any Operating Day where glass production at the Furnace occurs at or below the Abnormally Low Production Rate for at least one continuous hour.

“Ammonia Slip” shall mean emissions of unreacted ammonia that result from incomplete reaction of NOX and the reagent.

“Calendar Year” shall mean the period commencing on January 1 and ending on December 31 of the same year.

“Canal Change” shall mean the replacement of a refractory device used to transfer the molten glass from the Furnace to the forming process. Canal Change includes the stoppage of molten glass into the forming process, replacement and installation of a new canal, heat-up of the canal, and restart of production.

“CEMS” shall mean Continuous Emission Monitoring System.

“CEMS Certification” or “CEMS re-Certification” shall mean the certification of a CEMS as required by 40 C.F.R. § 60.13, 40 C.F.R. Part 60 Appendix B (Performance Specification 2), and 40 C.F.R. Part 60 Appendix F (Quality Assurance Procedures).

“CEMS Certification Event” shall mean any event that triggers the requirement to complete a first CEMS Certification or subsequent CEMS re-Certification.

“Cold Tank Repair” shall refer to the process of stopping

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glass production, stopping the flow of fuel, fully cooling down the Furnace, replacing some or all of the refractory in the Furnace, the crown and/or the regenerators (if applicable), and beginning a new campaign by starting up the Furnace again by firing fuel again and starting the production of glass. Cold Tank Repair does not include any refractory repairs conducted when the Furnace is still hot, and repairs solely required for restart of a Furnace which has temporarily ceased Operation due to economic reasons.

“Continuous Operating Year” shall mean a Calendar Year during which the Furnace Operates on every Day of that Calendar Year.

“Control Device” shall mean the SCR (Control ID SCR01), Dry Scrubber (Control ID DS001), or Particulate Device (Control ID ESP01).

“Control Device Startup” shall mean the period of time from the initial commencement of operation of a Control Device until operation of the device is stable and the device has achieved normal operating conditions. A Control Device Startup shall not exceed thirty (30) Days. Control Device Startup does not include subsequent startups of the Control Device, unless the subsequent startup of the Control Device occurs during a restart after a downtime of more than six months.

“Daily Glass Production” shall mean the Tons of glass produced per Day from the Furnace (commonly known as “pulled”) as calculated by the measurement method or the weight method. It will be calculated using a weighted average of approximately 12 samples taken throughout a Day to give a daily production rate.

“Day” shall mean a calendar day unless expressly stated to be a business day. In computing any period of time under this permit, where the last day would fall on a Saturday, Sunday, or federal holiday, the period shall run until the close of business of the next business day. A Day starts at 12:00 a.m. and ends at 11:59 p.m.

“Dry Scrubber” and “DS” shall mean a pollution control system, sometimes referred to as a sorbent injection system, which involves the addition of an alkaline material into the gas stream to react with the acid gases. The acid gases react with the alkaline sorbents to form solid salts. There is no moisture added in the reaction chamber or reaction area. DSs include traditional add-on DS and ceramic filter systems. For the purposes of this permit, Dry Scrubber and DS currently mean (Control ID

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DS001).

“EPA” shall mean the United States Environmental Protection Agency and any of its successor departments or agencies.

“Furnace” shall mean the unit comprised of a refractory-lined vessel in which raw materials are charged and melted at high temperature to produce molten glass.

“Furnace Startup” shall mean the period of time during which the Furnace’s refractory is heated from ambient temperature to operating temperature. A Furnace Startup shall last no more than 40 Days and includes the slow heating of the Furnace refractory, initially with portable burners and transitioning to main burners once the Furnace reaches a temperature at which they can commence operation. Furnace startup shall be considered completed the later of when (i) production commences, or (ii) when the operating inlet temperature of the DS reaches its operational range on a consistent basis. Furnace Startup also includes the initial filling of the Furnace, following the heat-up, with cullet and/or raw materials, to a level at which production launch can commence.

“Guardian” shall mean Guardian Industries, LLC.

“H<sub>2</sub>SO<sub>4</sub>” shall mean sulfuric acid mist.

“Inlet” shall mean the concentration of NOX (in ppmv corrected to 7% O<sub>2</sub> unless the permit states otherwise) measured prior to the SCR.

“Installation of Controls” shall include:

- i. The installation of the SCR, Dry Scrubber, or PD or other Particulate Device;
- ii. The installation of any alternative controls or alternative Primary Control Technology approved under the terms of the Consent Decree.

“Maintenance” shall mean activities necessary to keep the Control Devices in continuous normal operating condition and/or as described in the Consent Decree.

“Malfunction” shall mean, consistent with 40 C.F.R. § 60.2, any sudden, infrequent, and not reasonably preventable failure of a Control Device to operate in a normal or usual manner, but shall not include failures that are caused in part by poor maintenance or careless operation.

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“NOX” shall mean the sum of oxides of nitrogen in the flue gas, collectively expressed as NO<sub>2</sub>.

“Operate,” “Operation,” “Operating” and “Operated” shall mean any time when fuel is fired in the Furnace.

“Operating Day” shall mean any day where any fuel is fired in the Furnace.

“Outlet” shall mean the NOX concentration (in ppmv corrected to 7% O<sub>2</sub> unless the permit states otherwise) measured after the SCR.

“Particulate Device” and “PD” shall mean a control device that uses filtration technology to reduce Particulate Matter emissions, including, but not limited to, electrostatic precipitators, baghouses, and ceramic filter systems. For the purposes of this permit, Particulate Device and PD currently mean (Control ID ESP01)

“Particulate Matter” and “PM” shall mean any finely divided solid or liquid material, other than uncombined water, as measured using EPA Test Method 5 (40 C.F.R. Part 60 Appendix A-3).

“Primary Control Technology” for NOX, SO<sub>2</sub>, PM and H<sub>2</sub>SO<sub>4</sub> shall mean any new process design, equipment or operating methodology that allows for the emissions limits to be met without the installation of a Control Device.

“Removal Efficiency” for NOX shall mean the percent reduction in concentration of NOX achieved by the Furnace’s Control Device. This percent reduction shall be calculated by subtracting the Outlet concentration of NOX (corrected to 7% O<sub>2</sub>) from the Inlet concentration of NOX (corrected to 7% O<sub>2</sub>), dividing the difference by the Inlet concentration and then multiplying the result by 100.

“Selective Catalytic Reduction” and “SCR” shall mean a pollution control device that reacts ammonia (NH<sub>3</sub>) or urea with NOX to form nitrogen (N<sub>2</sub>) and water (H<sub>2</sub>O) using a catalyst to speed the reaction. SCRs include traditional add-on SCRs and catalyst-impregnated ceramic filters. For the purposes of this permit, Selective Catalytic Reduction and SCR currently mean (Control ID SCR01).

“SO<sub>2</sub>” shall mean the pollutant sulfur dioxide.

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“Ton” and “Tons” shall mean short ton (equal to 2000 pounds) or short tons.

“24-hour Block Average” shall be calculated by averaging all valid one hour emissions data outputs (concentrations or pounds) for a given Operating Day and using the Daily Glass Production on that Operating Day where applicable.

“30-day Rolling Average Emission Rate” shall be expressed as pounds of pollutant emitted per Ton of glass produced and calculated at a Furnace in accordance with the following formula and subparagraphs i and ii below:

$$\text{30-day average lb E/Ton} = [\text{CODE (lbs)} + \text{P29DE (lbs)}] / [\text{CODProd (Tons)} + \text{P29DProd (Tons)}]$$

Where: 30-day average (lb E/Ton) = The 30-day Rolling Average Emission Rate

E = emissions of NOx or SO2.

COD = Current Operating Day where the relevant 30-day Rolling Average Emission Rate is the applicable limit and the CEMS measures at least 1 full hour of emissions data.

CODE = The daily emissions as measured by a CEMS on the COD, in pounds.

CODProd = Daily Glass Production on the COD in Tons of glass.

P29D = The Previous 29 Operating Days where the relevant 30-day Rolling Average Emission Rate is the applicable limit and the CEMS measures at least 1 full hour of emissions data.

P29DE = The sum of the daily NOx or SO2 emissions as measured by a CEMS during the P29D, in pounds.

P29DProd = The sum of the Daily Glass Production during the P29D, in Tons of glass.

i. A new 30-day Rolling Average Emission Rate shall be calculated for each new Operating Day where the 30-day Rolling Average Emission Rate is the applicable standard and the CEMS measures at least 1 full hour of emissions data. Any Operating Day where the newly calculated 30-day Rolling Average Emission Rate exceeds the limit is a separate one Day violation; and

ii. As specified in this permit, certain Abnormally Low Production Rate Days, Furnace and/or Control Device Startup Days, Malfunction Days, and Maintenance Days may be excluded from the 30-day Rolling Average Emission Rate.

“30-day Rolling Average NOX Removal Efficiency” shall be calculated each Day where the 30-day Rolling Average NOX Removal Efficiency is the applicable standard and the CEMS

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measures at least 1 full hour of emissions data. It is calculated by summing the Removal Efficiency 24-hour Block Averages from the Furnace for each Operating Day and previous twenty-nine (29) Operating Days when the 30-day Rolling Average NOX Removal Efficiency was the applicable standard and the CEMS measured at least 1 full hour of emissions data and then dividing by 30. A new 30-day Rolling Average NOX Removal Efficiency shall be calculated for each new Operating Day. Any Operating Day where the newly calculated 30-day Rolling Average NOX Removal Efficiency is less than the Removal Efficiency limit is a separate one-day violation.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 21: Progress Reports Due Semiannually  
Effective for entire length of Permit**

**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 for entire length of Permit**

**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 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 for entire length of Permit**

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**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.

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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

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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 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.

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

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**Condition 24: Facility Permissible Emissions  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**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: 000630-08-0  
Name: CARBON MONOXIDE

PTE: 180,000 pounds per year

**Condition 25: Capping Monitoring Condition  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**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:

6 NYCRR Subpart 231-8

**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 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:**

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

Emission Unit: U-BATCH      Emission Point: BH001

Process: MAT

Emission Unit: U-BATCH      Emission Point: BH002

Process: MAT

Emission Unit: U-BATCH      Emission Point: BH003

Process: MAT

Emission Unit: U-BATCH      Emission Point: C0001

Process: MAT

Emission Unit: U-BATCH      Emission Point: X0001

Process: MAT

Emission Unit: U-BATCH      Emission Point: X0002

Process: MAT

Emission Unit: U-BATCH      Emission Point: X0003

Process: MAT

Regulated Contaminant(s):

CAS No: 0NY075-00-5      PM-10

CAS No: 0NY075-02-5      PM-2.5

CAS No: 0NY075-00-0      PARTICULATES

**Item 25.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To limit particulate matter (PM), PM-10, and PM-2.5 emissions below the applicability thresholds of 6 NYCRR 231-8 Prevention of Significant Deterioration (PSD) requirements, emissions of PM, PM-10, and PM-2.5 from raw material and cullet handling emission operations (Emission Unit U-BATCH, Process MAT) vented to Emission Points: BH001, BH002, BH003, X0001, X0002, X0003, and C0001, are limited to 6.08 tons per year, on a 12-month rolling basis.

To demonstrate compliance with this limit, PM, PM-10, and PM-2.5 emissions from these emission points must be calculated on a monthly basis and compiled with the previous 11-months of emissions to determine 12-month rolling total emissions. The control devices associated with each of the applicable emission sources must be

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operated to maintain efficiency as specified in the 40 CFR 52.21(j) BACT and 6 NYCRR 212-2.4(b) monitoring conditions elsewhere in this permit.

The Department reserves the right to perform or require the performance of emissions testing using to verify the particulate emission rate at any time.

Per the above, on an annual basis the responsible official must submit an Annual Capping Certification for the prior calendar year on January 30. Records of 12-month rolling emissions calculations and any supporting information must be maintained on site for a period of at least five years and be made available to the Department upon request.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 6.08 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.

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

**Condition 26: Capping Monitoring Condition  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**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 52.21 (j)

**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

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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: 000630-08-0      CARBON MONOXIDE

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To limit emissions of carbon monoxide below the Significant Project Thresholds under 40 CFR 52 Prevention of Significant Deterioration (PSD), total facility-wide Carbon Monoxide (CO) emissions must not exceed 90 tons per year on a twelve month rolling basis.

To demonstrate compliance with this limit, facility CO emissions must be calculated on a monthly basis and compiled with the previous 11-months of emissions to determine 12-month rolling total emissions for the facility. Emissions must be calculated based on AP-42 emission factors and records of tons of glass produced for the furnace, hours of operation and equipment specific emission factors for the diesel-fired equipment, and AP-42 factors and non-furnace gas usage data for the miscellaneous gas and propane fired sources.

For the furnace, the facility owner or operator must shall use the CO emission factors (from AP-42) as follows:

propane: 7.5 lb/1000 gal  
natural gas: <0.1 lb/ton of glass produced

For the miscellaneous gas and propane fired sources, the facility owner or operator shall use the CO emission factors (from AP-42) as follows:

propane: 7.5 lb/1000 gal  
natural gas: 84 lb/mmcf

or, revised factors based on the most current version of AP-42.

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Per the above, on an annual basis the responsible official must submit an Annual Capping Certification for the prior calendar year on January 30. Records of 12-month rolling emissions calculations and any supporting information must be maintained on site for a period of at least five years and be made available to the Department upon request.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 90 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.

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

**Condition 27: Notification**

**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 202-1.2**

**Item 27.1:**

A person who is required by the Department to submit a stack test report shall notify the Department, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow a representative of the Department free access to observe stack testing being conducted by such person.

**Condition 28: Statement dates for emissions statements.**

**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 202-2.4 (a) (3)**

**Item 28.1:**

This facility is required to submit an annual emission statement electronically and these emissions statements must be submitted to the department as per the following schedule:

(i) March 15th of each year for facilities with three or fewer processes listed in their Title V permit:

(ii) March 31st of each year for facilities with four to six processes listed in their Title V permit:

(iii) April 15th of each year for facilities with 7 to 12 processes listed in their Title V permit:

(iv) April 30th of each year for facilities with 13 or more processes listed in their Title V permit.

**Condition 29: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.2**

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**Item 29.1:**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Condition 30:      Compliance Certification  
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 211.2****Item 30.1:**

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

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

**Item 30.2:**

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 glass furnace (Emission Point F0001) using Method 22 on a monthly basis 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

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actions will be kept on-site and made available to the Department upon request.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 22 & Method 9

Monitoring Frequency: MONTHLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 22)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 31:      Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 211.2**

**Item 31.1:**

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

Emission Unit: U-FURNC

Emission Point: F0001

Process: FUR

**Item 31.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

On an annual basis, the facility must conduct observations of visible emissions from the glass furnace (Emission Point F0001) using Method 9 while the process is in operation. The permittee will investigate, in a timely manner, any instance where visible emissions exceed the opacity standard and make any necessary corrections. The facility must verify that the excess visible emissions problem has been corrected within the next Operating Day via a follow-up Method 9 test.

Records of Method 9 tests, deviations, investigations, and corrective actions will be kept on-site and made available to the Department upon request.

Parameter Monitored: OPACITY

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Upper Permit Limit: 20 percent  
Reference Test Method: EPA Method 9  
Monitoring Frequency: ANNUALLY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 32:      Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 32.1:**

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

Emission Unit: U-BATCH      Emission Point: BH001  
Process: MAT

Emission Unit: U-BATCH      Emission Point: BH002  
Process: MAT

Emission Unit: U-BATCH      Emission Point: BH003  
Process: MAT

Emission Unit: U-BATCH      Emission Point: C0001  
Process: MAT

Emission Unit: U-BATCH      Emission Point: X0001  
Process: MAT

Emission Unit: U-BATCH      Emission Point: X0002  
Process: MAT

Emission Unit: U-BATCH      Emission Point: X0003  
Process: MAT

Emission Unit: U-BATCH      Emission Point: X0004  
Process: MT2

**Item 32.2:**

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

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during facility operation.

The facility owner or operator shall conduct a visible emissions observation of all emission points and emission sources specified by this condition once per month while the process is in operation.

1) Observe the stack for each emission source which is operating, once per day for visible emissions. This observation(s) must be conducted during daylight hours, but not during periods of adverse weather conditions (fog, rain, or snow).

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

- date and time of observation
- observer's name
- identity of the emission point
- weather conditions
- was a plume observed

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

3) If the operator observes any visible emissions (other than steam - see below) for two consecutive days, either a Method 9 or Method 22 analysis (based upon the source emitting the visible emissions) of the affected emission point(s) or emission source(s) must be conducted within two (2) business days of such occurrence. The results of either the Method 9 or Method 22 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing either the Method 9 or Method 22 analysis if the opacity standard has been 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

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downwind of the stack.

The facility owner or operator shall make any necessary corrections and verify that the excess visible emissions problem has been corrected.

Parameter Monitored: OPACITY

Lower Permit Limit: 20 percent

Reference Test Method: EPA RM 9 or RM 22

Monitoring Frequency: MONTHLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 33:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 33.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

Regulated Contaminant(s):  
CAS No: 000050-00-0      FORMALDEHYDE

**Item 33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Process emissions from glass plants subject to 6 NYCRR Subpart 220-2 are exempt from 6 NYCRR Part 212 except for air contaminants assigned an Environmental Rating (ER) of A. Formaldehyde emissions from the glass furnace (Emission Unit U-FURNC) have been assigned an ER of A by the Department and must demonstrate compliance with the air cleaning requirements of Table 4 to Section 212-2.3(b).

Actual annual emissions of formaldehyde are greater than the Mass Emission Limit (MEL) in Table 2 to 6 NYCRR 212-2.2 with an ERP less than 0.1 lbs/hr. Therefore, the facility owner or operator must demonstrate compliance with the applicable guideline concentrations for formaldehyde in DEC Program Policy DAR-1. The facility demonstrated compliance with the applicable DAR-1 guideline concentrations in an Air Dispersion Modeling Report dated June 2017 submitted as part of the Renewal 1

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application.

The facility must maintain records to demonstrate that none of the listed contaminants have increased the ERP or annual emissions above the values that were utilized in the latest air dispersion modeling report. Any increase in the ERP of a contaminant will require a reevaluation of its off site ambient impacts and any applicable air cleaning requirements. Records must be maintained for a period of at least five years and made available to the Department upon request.

Monitoring Frequency: ANNUALLY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 34:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 34.1:**

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

Emission Unit: U-BATCH  
Process: MAT

Emission Point: BH001

Emission Unit: U-BATCH  
Process: MAT

Emission Point: BH002

Emission Unit: U-BATCH  
Process: MAT

Emission Point: BH003

Emission Unit: U-BATCH  
Process: MAT

Emission Point: C0001

Emission Unit: U-BATCH  
Process: MAT

Emission Point: X0001

Emission Unit: U-BATCH  
Process: MAT

Emission Point: X0002

Emission Unit: U-BATCH  
Process: MAT

Emission Point: X0003

Emission Unit: U-BATCH  
Process: MT2

Emission Point: X0004

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

**Item 34.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Averaging Method: Arithmetic average of stack test runs

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 35:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire distillate oil are limited to a 0.0015 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Note - Process sources and incinerators must comply with the above requirements on or after July 1, 2023.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

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Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 36:      Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 227-1.4 (a)**

**Item 36.1:**

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

Emission Unit: U-POWER                      Emission Point: G0001  
Process: GEN

Emission Unit: U-POWER                      Emission Point: G0002  
Process: GEN

**Item 36.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a stationary combustion installation at a Title V facility subject to this Subpart shall operate an emission source which exhibits greater than 20 percent opacity (based on a six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The owner or operator shall conduct a Method 9 test annually. A report of the results of the test will be submitted to the Department within 30 days of the completion of the Method 9 test. All records generated by the permittee must be maintained at the facility or at an alternative location approved by the Department for a minimum of five years.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60, Appendix A, Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 37:      Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 227-2.4 (d)**

**Item 37.1:**

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

Emission Unit: U-COMBU      Process: DSL      Emission Source: WTRP2

Emission Unit: U-COMBU      Process: DSL      Emission Source: WTRPM

Emission Unit: U-COMBU      Emission Source: PROP1  
Process: PRO

Emission Unit: U-COMBU      Emission Source: PROP2

Regulated Contaminant(s):  
CAS No: ONY210-00-0      OXIDES OF NITROGEN

**Item 37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

The owner or operator of a small boiler, small combustion turbine, or small internal combustion engine must perform an annual tune-up of their equipment. This tune-up should be performed in accordance with the requirements of the DAR-5 guidance document. Records of each tune-up must be kept on-site for a minimum of five years.

Monitoring Frequency: ANNUALLY

## Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 38: NOx Emission Reduction Credits Effective for entire length of Permit**

## **Applicable Federal Requirement: 6 NYCRR Subpart 231-2**

### Item 38.1:

In order to satisfy emission offset requirements, 984.3 tons of NOx Emission Reduction Credits (ERCs) were certified and transferred to Guardian. The required NOx emission reduction credits (ERCs) were provided by the following sources:

Lumber Inc. / 3-5148-00239 00001  
30.65

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Karg Brothers / 5-1708-00012 00003, 00004(A), &  
00004(B) 22.32

Pan American Tanning Corp./ 5-1705-00025 00001(A), 00001(B), & 00003(A)  
10.42

Outokumpu American Brass / 9-1402-00021 00011  
48.00

Nestle Chocolate / 7-3504-00021 00001  
42.80

Pennzoil-Rouseville Refinery, Penn. 035, 036, & 037  
100.00 / DEP# 61-302-023

Garlock Inc. / 8-5436-00007 10003, & 10001  
42,00

Oneida County RRF / 6-3013-00029 00001, 00002, 00003,  
68.20

& 00004  
Moench Tanning Co / 9-0472-00007 00100 & 00200

NYSEG Hickling Station / 8-4638-00011 00001

Cibro / 4-0101-00070 00004, 00005, 00006,

Binghamton Cogen Plant / 7-0302-00079 00001

Caparo Steel Company, Penn  
boilers and 104.00 Shutdown package  
RW boiler

#1-3  
International Home Foods, Penn S04, S05

The Columbia Corp. - Chatham Plant / 00001

An additional 25 tons of NOx ERCS, provided by SUNY Brockport (8-2652-00024) (24.0 tons)

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be returned to NYS Dept of Economic Development in the event that Guardian permanently ceases operation of this facility and surrenders this permit.

**Condition 39:      Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR Subpart 231-2**

**Item 39.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 39.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Consistent with the NOx PTE emissions and offsets under 6 NYCRR 231-2 during initial permitting, the total facility-wide NOx emissions are limited to 855.9 tons per year on a twelve month rolling basis.

To demonstrate compliance with this limit, facility NOx emissions must be calculated on a monthly basis and compiled with the previous 11-months of emissions to determine 12-month rolling total emissions for the facility. Emissions must be based on CEMS data for the furnace, hours of operation and equipment specific emission factors for the diesel-fired equipment, and AP-42 factors and non-furnace gas usage data for the miscellaneous gas and propane fired sources.

Consistent with the determination, for the miscellaneous gas and propane fired sources the facility owner or operator shall use the NOx emission factors (from AP-42) as follows:

propane: 13 lb/1000 gal  
natural gas: 100 lb/mmcf  
or, revised factors based on the most current version of AP-42.

Records of 12-month rolling emissions calculations and any supporting information must be maintained on site for a period of at least five years and be made available to the Department upon request.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 855.9 tons per year

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Monitoring Frequency: MONTHLY  
 Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 40:      Compliance Certification  
 Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21, Subpart A**

**Item 40.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

A summary of the emission limits and operating restrictions of this permit must be posted in the appropriate facility control areas and must be plainly visible (without obstruction) to the operators of the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
 DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 41:      Compliance Certification  
 Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 41.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-BATCH                          Emission Point: BH001  
 Process: MAT

Emission Unit: U-BATCH                          Emission Point: BH002  
 Process: MAT

Regulated Contaminant(s):  
 CAS No: 0NY075-00-5                          PM-10  
 CAS No: 0NY075-00-0                          PARTICULATES

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 8-3205-00041/00013

Facility DEC ID: 8320500041

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

## Monitoring Description:

To meet Prevention of Significant Deterioration (PSD)  
Best Available Control Requirements (BACT) requirements  
for particulates and PM-10, the emissions sources (ES)  
listed below must be controlled using a dust collector  
with a minimum control efficiency of 90 percent (%)  
whenever material is transferred at a silo.

ES/Control Device  
UNLDS / UNLDC  
SPARE / SPARC  
DOLOM / DOLOC  
LIMES / LIMEC  
SALTC / SALCC  
NEPHS / NEPHC  
SAND1 / SND1C  
SAND2 / SND2C  
SODAA / SODAC  
CSIL1 / CULLC  
CISL2 / CULLC

To demonstrate compliance with this requirement, the pressure drop across the control devices must be maintained at or above 1.0 inches of water when the equipment is operational. This limit does not apply for the period of initial conditioning of the filter immediately following installation of a new filter.

The pressure drop must be monitored and recorded at a minimum of once a month for each control device which operated during that month. Immediate corrective action must be taken upon observation of any problem with a dust collector.

Records of pressure drop readings, maintenance, filter changes, and other corrective measures taken must be maintained for a period of at least five years and made available to the Department upon request.

Parameter Monitored: PRESSURE DROP

Lower Permit Limit: 1.0 inches of water

Monitoring Frequency: MONTHLY

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 42:      Applicability**  
**Effective for entire length of Permit**

**Permit ID: 8-3205-00041/00013**

Facility DEC ID: 8320500041

## Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

**Item 42.1:**

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

**Condition 43: Mandatory greenhouse gas reporting  
Effective for entire length of Permit**

**Applicable Federal Requirement:40 CFR Part 98**

**Item 43.1:**

40 CFR Part 98 establishes mandatory greenhouse gas (GHG) reporting requirements for owners and operators of certain facilities that directly emit GHG as well as for certain fossil fuel suppliers and industrial GHG suppliers. For suppliers, the GHGs reported are the quantity that would be emitted from combustion or use of the products supplied.

Owners and operators of facilities and suppliers that are subject to 40 CFR Part 98 must follow the requirements of subpart A and all applicable subparts of 40 CFR Part 98. If a conflict exists between a provision in subpart A and any other applicable subpart, the requirements of the applicable subpart shall take precedence.

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

**Condition 44: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

**Item 44.1:**

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

Emission Unit: U-BATCH

Emission Point: BH001

Height (ft.): 175 Diameter (in.): 10  
NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: BATCH

Emission Point: BH002

Height (ft.): 150      Diameter (in.): 10  
NYTMN (km.): 4750.108      NYTME (km.): 339.047      Building: BATCH

Emission Point: BH003

Height (ft.): 8 Diameter (in.): 6  
NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: OUTSIDE

Emission Point: C0001

Height (ft.): 17      Diameter (in.): 12

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NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: OUTSIDE

Emission Point: X0001

Height (ft.): 70 Diameter (in.): 13

NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: OUTSIDE

Emission Point: X0002

Height (ft.): 35 Diameter (in.): 17

NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: OUTSIDE

Emission Point: X0003

Height (ft.): 30 Diameter (in.): 16

NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: BATCH

Emission Point: X0004

Height (ft.): 6 Length (in.): 23 Width (in.): 6

NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: OUTSIDE

**Item 44.2:**

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

Emission Unit: U-COMBU

Emission Point: MISC1

Height (ft.): 35 Diameter (in.): 6

NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: MAIN

**Item 44.3:**

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

Emission Unit: U-FURNC

Emission Point: F0001

Height (ft.): 298 Diameter (in.): 102

NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: MAIN

**Item 44.4:**

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

Emission Unit: U-POWER

Emission Point: G0001

Height (ft.): 25 Diameter (in.): 18

NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: MAIN

Emission Point: G0002

Height (ft.): 25 Diameter (in.): 18

NYTMN (km.): 4750.108 NYTME (km.): 339.047 Building: MAIN

**Condition 45: Process Definition By Emission Unit  
Effective for entire length of Permit**

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

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Facility DEC ID: 8320500041

**Item 45.1:**

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

Emission Unit: U-BATCH

Process: MAT

Source Classification Code: 3-05-014-10

Process Description:

This process represents cullet and raw material unloading, weighing, transfer, and industrial cleaning operations that are subject to BACT limits and/or emissions capping.

Emission Source/Control: BAGBH - Control

Control Type: FABRIC FILTER

Emission Source/Control: CULLC - Control

Control Type: FABRIC FILTER

Emission Source/Control: DOLOC - Control

Control Type: FABRIC FILTER

Emission Source/Control: HVACC - Control

Control Type: FABRIC FILTER

Emission Source/Control: LIMEC - Control

Control Type: FABRIC FILTER

Emission Source/Control: NEPHC - Control

Control Type: FABRIC FILTER

Emission Source/Control: PADCO - Control

Control Type: FABRIC FILTER

Emission Source/Control: SALCC - Control

Control Type: FABRIC FILTER

Emission Source/Control: SND1C - Control

Control Type: FABRIC FILTER

Emission Source/Control: SND2C - Control

Control Type: FABRIC FILTER

Emission Source/Control: SODAC - Control

Control Type: FABRIC FILTER

Emission Source/Control: SPARC - Control

Control Type: FABRIC FILTER

Emission Source/Control: SSDBV - Control

Control Type: FABRIC FILTER

Emission Source/Control: SSSBV - Control



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**Item 45.3:**

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

Emission Unit: U-COMBU

Process: DSL

Source Classification Code: 2-02-001-02

Process Description:

This process represents two small diesel fired water pumps

Emission Source/Control: WTRP2 - Combustion

Emission Source/Control: WTRPM - Combustion

**Item 45.4:**

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

Emission Unit: U-COMBU

Process: NAT

Source Classification Code: 1-05-001-06

Process Description:

This process covers miscellaneous natural gas fired combustion sources, including space heaters & hot water heaters.

Emission Source/Control: MISNG - Combustion

**Item 45.5:**

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

Emission Unit: U-COMBU

Process: PRO

Source Classification Code: 1-02-010-02

Process Description:

This process represents miscellaneous LPG (propane) fired combustion sources, including 2 propane vaporizers and 1 emergency test flare.

Emission Source/Control: FLARE - Combustion

Design Capacity: 8,300,000 British thermal units per hour

Emission Source/Control: PROP1 - Combustion

Design Capacity: 3,500,000 British thermal units per hour

Emission Source/Control: PROP2 - Combustion

Design Capacity: 3,500,000 British thermal units per hour

**Item 45.6:**

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

Emission Unit: U-CUTTG

Process: CUT

Source Classification Code: 4-02-009-20

Process Description:

This process represents the use of cutting oil for scoring and cutting glass at multiple locations.

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Emission Source/Control: CUTTG - Process

**Item 45.7:**

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

Emission Unit: U-FURNC

Process: FUR

Source Classification Code: 3-05-014-03

Process Description:

This process represents the manufacturing of flat glass in the float glass melting furnace with a nominal capacity of 770 tons per day. It is natural gas fired, with propane fuel as emergency back-up. This process includes the optional use of three oxy-fuel firing techniques, including oxygen enrichment, oxygen lancing, and oxygen boosting. Checker burners (considered part of Emission Source F0001) may be used for furnace maintenance purposes or to increase the flue gas temperature to allow the emission control system to operate.

Emission Source/Control: DS001 - Control

Control Type: DRY SPRAY ABSORPTION

Emission Source/Control: ESP01 - Control

Control Type: ELECTROSTATIC PRECIPITATOR

Emission Source/Control: SCR01 - Control

Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: F0001 - Process

**Item 45.8:**

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

Emission Unit: U-FURNC

Process: SCB

Source Classification Code: 3-99-999-92

Process Description:

This process provides controlled glass cooling in the electric annealling lehr. SO<sub>2</sub> is injected at the lehr's front to improve glass characteristics.

Note: lehr emissions will be directed through, but not controlled by the SCR or ESP.

Emission Source/Control: DS001 - Control

Control Type: DRY SPRAY ABSORPTION

Emission Source/Control: ALEHR - Process

**Item 45.9:**

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

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Emission Unit: U-POWER

Process: GEN

Source Classification Code: 2-01-001-02

Process Description:

This process represents emergency back-up electrical power generation using two diesel fired generators.

Emission Source/Control: G0001 - Combustion

Design Capacity: 2,000 kilowatts

Emission Source/Control: G0002 - Combustion

Design Capacity: 2,000 kilowatts

**Condition 46: Process Permissible Emissions  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 46.1:**

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-BATCH      Process: MAT

CAS No: 0NY075-00-0

Name: PARTICULATES

PTE(s): 12,160 pounds per year

CAS No: 0NY075-00-5

Name: PM-10

PTE(s): 12,160 pounds per year

CAS No: 0NY075-02-5

Name: PM-2.5

PTE(s): 12,160 pounds per year

**Condition 47: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 52.21(j), Subpart A**

**Item 47.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-BATCH

Emission Point: BH003

Process: MAT

Emission Source: HIVAC

Regulated Contaminant(s):

CAS No: 0NY075-00-0      PARTICULATES

CAS No: 0NY075-00-5      PM-10

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 8-3205-00041/00013

Facility DEC ID: 8320500041

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To ensure compliance with Best Available Control Technology (BACT) requirements for particulates and PM-10, the Hi-Vac Industrial Vacuum System (Emission Source HIVAC) must be operated with the use of the filter system (Control HVAC).

The filter system must be maintained according to the manufacturer's recommendations. The vacuum system will automatically shut down and the filter bags will be automatically cleaned (mechanically shaken) when the pressure drop across the filter bags reaches the manufacturer's set point. Automatic cleaning must occur whenever the system is shut down manually.

Records of filter changes or other maintenance must be maintained for at least five years and made available to the Department upon request.

Manufacturer Name/Model Number: POLYESTER FELT FILTER SYSTEM

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

#### DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 48:      Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-BATCH	Emission Point: C0001
Process: MAT	Emission Source: PADCO

Regulated Contaminant(s):

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

**Item 48.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

To ensure compliance with Best Available Control Requirements (BACT) requirements, the dust collector (Control PADCO) for the Cullet Return System (Emission Source CULPU) must be maintained at or above 1.0 inches of

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water when the equipment is operational. This limit does not apply for the period of initial conditioning of the filter immediately following installation of a new filter.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record the pressure drop across the filter on a weekly basis. Immediate corrective action must be taken upon observation of any problems associated with the control device.

Records of pressure drop readings, maintenance, filter changes and other corrective measures taken must be retained for a period of at least five years and made available to the Department upon request.

Manufacturer Name/Model Number: CULLET RETURN SYSTEM DUST COLLECTOR

Parameter Monitored: PRESSURE DROP

Lower Permit Limit: 1.0 inches of water

Monitoring Frequency: WEEKLY

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 49:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 49.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-BATCH  
Process: MAT

Emission Point: X0001  
Emission Source: SSSBV

Regulated Contaminant(s):

CAS No: ONY075-00-0      PARTICULATES

**Item 49.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

To ensure compliance with the 0.05 grains/dscf particulate standard under 6 NYCRR 212-2.4(b), the pressure drop across the bin vent filter (Control Device SSSBV) for the Sorbent Storage Silo (Emission Source SSS01) must be maintained at or above 0.7 inches of water when the equipment is operational. This limit does not apply for the period of initial conditioning of the filter

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immediately following installation of a new filter.

To demonstrate compliance with this limit, the facility owner or operator must monitor and record the pressure drop across the filter at a minimum of once per month if the filter was operated during that month. Immediate corrective action must be taken upon observation of any problems associated with the control device. The filter cartridge associated with this control device must be automatically reverse jet cleaned via pulses of compressed air.

Records of pressure drop readings, maintenance, filter changes and other corrective measures taken must be retained for a period of at least five years and made available to the Department upon request.

Parameter Monitored: PRESSURE DROP

Lower Permit Limit: 0.7 inches of water

Monitoring Frequency: MONTHLY

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 50:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 50.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-BATCH  
Process: MAT

Emission Point: X0002  
Emission Source: SSDBV

Regulated Contaminant(s):  
CAS No: ONY075-00-0      PARTICULATES

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

To ensure compliance with the 0.05 grains/dscf particulate standard under 6 NYCRR 212-2.4(b), the two filter cartridges (Control SSDBV) associated with Emission Source SSD01 must be automatically reverse jet cleaned via pulses of compressed air, when the equipment is operational.

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The facility owner or operator must inspect each filter cartridge on a quarterly basis and replace the filter on a semiannual basis, or sooner if necessary. Records shall be maintained showing each filter that was operated during that month. Immediate corrective action must be taken upon observation of any problems associated with the control device.

Records of filter inspections, maintenance, filter changes and other corrective measures taken, must be maintained for at least five years and made available 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.

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

**Condition 51: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-BATCH	Emission Point: X0004
Process: MT2	Emission Source: VAC2C

Regulated Contaminant(s):

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

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To ensure compliance with the 0.050 grains/dscf particulate standard under 6 NYCRR 212-2.4(b), the furnace area Hi-Vac Industrial Vacuum System (Emission Source HVAC2) must be operated with the use of the filter system (Control VAC2C).

The filter system must be maintained according to the manufacturer's recommendations. The vacuum system will automatically shut down and the filter bags will be automatically cleaned (mechanically shaken) when the pressure drop across the filter bags reaches the manufacturer's set point. Automatic cleaning must occur whenever the system is shut down manually.



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**Item 53.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-CUTTG

Process: CUT

Regulated Contaminant(s):

CAS No: 0NY998-00-0      VOC

**Item 53.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

In accordance with the volatile organic compounds (VOC) Reasonably Available Control Technology (RACT) requirements for process operations under 6 NYCRR Part 212-3.1, total VOC emissions from the glass cutting stations (Emission Source CUTTG) are limited to a maximum of 47.5 tpy on 12-month rolling basis.

To demonstrate compliance with this limit, the sum of VOC emissions from all glass cutting operations shall be calculated for each month and incorporated into a 12-month rolling total. Emissions of VOCs shall be calculated each month shall based upon the following:

- (1) Records showing the total quantity of each VOC cutting fluid (gallons) used in the glass cutting operations; and
- (2) Density or specific gravity for each cutting fluid, as shown in the Safety Data Sheet for the cutting fluid.

This limit is based on the VOC RACT analysis submitted to the Department on June 29, 2017 (updated March 29, 2018) which demonstrated that installation of add-on controls is not economically feasible. The facility owner or operator must submit a VOC RACT re-evaluation every five years, or prior to any changes that could significantly impact the existing approved or pending RACT determination. The next re-evaluation must be submitted to the Department no later than the due date for the next Air Title V permit renewal. The analysis must be prepared in accordance with NYSDEC Program Policy DAR-20: Economic and Technical Analysis for Reasonably Available Control Technology (RACT).

Records of VOC emissions, supporting data, and RACT analysis must be maintained for a period of at least five years and made available to the Department upon request.

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Parameter Monitored: VOC

Upper Permit Limit: 47.5 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.

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

**Condition 54: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 54.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC

Process: FUR

Regulated Contaminant(s):

CAS No: 007664-93-9 SULFURIC ACID

**Item 54.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of sulfuric acid (H<sub>2</sub>SO<sub>4</sub>) from the Emission Point F0001 shall not exceed 1.6 lb of H<sub>2</sub>SO<sub>4</sub> per hour. Compliance with this emission limitation shall be demonstrated through annual (calendar year basis) stack tests and using EPA Conditional Test Method CTM 13, 13A, or CTM 13B. A stack test report must be submitted to the Department within 60 days of completing the test.

Manufacturer Name/Model Number: CEMS

Parameter Monitored: SULFURIC ACID

Upper Permit Limit: 1.6 pounds per hour

Reference Test Method: EPA CTM 13, 13A, CTM 13B

Monitoring Frequency: ANNUALLY

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 55: Compliance Certification**  
**Effective for entire length of Permit**

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

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**Item 55.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC

Process: FUR

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 55.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

SO2 Limit During Maintenance of the Dry Scrubber or  
PD

For any Operating Day where Maintenance activities are performed on the Dry Scrubber (Control ID DS001) or PD (Control ID ESP01), Guardian may exclude the emissions generated during that Operating Day (or Days) from the 30-day Rolling Average Emission Rate for SO2. During the Day(s) excluded from the 30-day Rolling Average Emission Rate, a SO2 CEMS shall be used to demonstrate compliance with the following pound per day SO2 limit on a 24-hour Block Average:

$$\text{SO2 Scrub Main} = \frac{\text{MH} \times \text{A} + \text{NH} \times \{1.2 \times 24\}}{24}$$

Where:

SO2 Scrub Main = SO2 emission limit (in pounds per Day) for the Furnace during Maintenance of the Dry Scrubber or Particulate Device

A = SO2 w/o DS = SO2 emission limit using Dry Scrubber during an event where the Dry Scrubber is not operating, in pounds per Day

P = Furnace-specific production threshold as defined in Table 7 and paragraph 40 (as 35% X 770 Tons of glass produced per Day = 270 Tons per Day).

MH = Hours of Maintenance

NH = Normal Hours = 24 – MH

Manufacturer Name/Model Number: CEMS

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 3,662 pounds per day

Reference Test Method: CEMS

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR BLOCK AVERAGE

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Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 56:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 56.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC

Process: FUR

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 56.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

SO2 Limit During Control Device Startup or Malfunction of the Dry Scrubber or PD

For any Operating Day during Control Device Startup or on which a Malfunction of the DS or PD occurs, Guardian may exclude the emissions generated during that Operating Day (or Days) from the 30-day Rolling Average Emission Rate for SO2. During the Day(s) excluded from the 30-day Rolling Average Emission Rate, SO2 emissions from the Furnace (Emission Source F0001) shall be limited to a 24-hour Block Average of 3,662 pounds per Day. A SO2 CEMS shall be used to demonstrate compliance with this emission limitation.

Manufacturer Name/Model Number: CEMS

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 3662 pounds per day

Reference Test Method: CEMS

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR BLOCK AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 3 calendar month(s).

**Condition 57:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 57.1:**

Air Pollution Control Permit Conditions

Renewal 1

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The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC

Process: FUR

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Emissions of sulfur dioxide from Emission Point F0001 shall not exceed a 30-day Rolling Average Emission Rate of 1.2 lb SO<sub>2</sub> per Ton of glass produced. This compliance limit applies at all times except during the following time periods:

- Furnace Startup ( as set forth in this permit);
- Control Device Startup or Malfunction of the Dry Scrubber (Control ID DS001) or Particulate Device (Control Device ESP01)( as set forth in this permit);
- Maintenance of the Dry Scrubber (Control ID DS001) or PD (Control ID ESP01) ( as set forth in this permit); or
- Abnormally Low Production Rate Days ( as set forth in this permit).

Guardian shall demonstrate compliance with the 30-day Rolling Average Emission Rate using a SO<sub>2</sub> CEMS. Records shall be maintained to show daily compliance with the emission limitation.

Manufacturer Name/Model Number: CEMS

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 1.2 pounds per ton

Reference Test Method: CEMS

Monitoring Frequency: CONTINUOUS

Averaging Method: 30 DAY ROLLING AVERAGE, ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 3 calendar month(s).

**Condition 58:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC

Process: FUR

Permit ID: 8-3205-00041/00013

Facility DEC ID: 8320500041

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 58.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Abnormally Low Production Rate Days

When the Furnace (Emission Source F0001) is Operating at an Abnormally Low Production Rate, Guardian may exclude the SO<sub>2</sub> emissions generated from the Furnace during that Operating Day(s) from the 30-day Rolling Average Emissions Rate for SO<sub>2</sub>.

During the Day(s) excluded from the 30-day Rolling Average Emissions Rate, a SO<sub>2</sub> CEMS shall be used to demonstrate compliance with the following pound per Day limit on a 24-hour Block Average:

$$\text{SO2 Abn} = 1.2 \text{ lb SO2 P} \\ \text{-----} \times \text{-----} \\ \text{ton} \\ 0.35$$

Where:

SO<sub>2</sub> Abn = SO<sub>2</sub> emission limit (in pounds per Day) for a Furnace during Day(s) when an Abnormally Low Production Rate is occurring

P=Furnace-specific production threshold (defined as 35% of 770 tons of glass produced per day) = 270 tons

Manufacturer Name/Model Number: CEMS

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 925.7 pounds per day

Reference Test Method: CEMS

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 59:      Applicability of General Provisions of 40 CFR 60 Subpart A**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60, NSPS Subpart A**

**Item 59.1:**

This Condition applies to    Emission Unit: U-FURNC  
 Process: FUR

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**Item 59.2:**

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

**Condition 60:** EPA Region 2 address.

### **Effective for entire length of Permit**

## Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

**Item 60.1:**

**Item 60.2:**

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance  
USEPA Region 2  
290 Broadway, 21st Floor  
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

**Condition 61: Compliance Certification  
Effective for entire length of Permit**

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

**Item 61.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC      Emission Point: F0001  
Process: FUR

Regulated Contaminant(s):  
CAS No: 0NY210-00-0      OXIDES OF NITROGEN

Permit ID: 8-3205-00041/00013

Facility DEC ID: 8320500041

**Item 61.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Alternative Compliance Option for NOx

Guardian may elect to use the following alternative compliance option in lieu of complying with the NOx emission limits, provided that Guardian satisfies the requirements below.

- a. If Guardian is able to reduce the 30-day Rolling Average Emission Rate into the SCR to less than 8.0 lb NOx per Ton of glass produced for at least 180 consecutive Days of normal Operation (excluding periods that qualify as Maintenance, Malfunction, Furnace Startup, Control Device Startup, or Abnormally Low Production Rate Days), Guardian may notify the Department that it elects to comply with a 30-day Rolling Average Emission Rate of 1.6 lb NOx per Ton of glass produced (measured after the SCR) in lieu of the final NOx emission limit. Guardian shall comply with a 30-day Rolling Average Emission Rate of 1.6 lb NOx per Ton of glass produced 60 days after Guardian provides notice to the Department. After electing to comply with the alternative compliance option in this Paragraph, Guardian may not revert to complying with the final NOx emission limit. If the Department determines that Guardian has not satisfied any of the following criteria, Guardian must continue complying with the applicable final NOx emission limit(s).
- b. Guardian's notice must include all 30-day rolling average data for NOx for the 12-month period prior to the date the notice is submitted. Guardian must clearly identify any Days that it believes are exempted from the 30-day Rolling Average Emission Rate and indicate which exemption applies (i.e., Maintenance, Malfunction, Furnace or Control Device Startup, or Abnormally Low Production Rate Days).
- c. Guardian's notice must identify any equipment that it installed and explain all actions that it took in order to achieve reduced emissions at the Furnace. Guardian shall continue to operate any equipment and continue all actions necessary to maintain such emissions reductions.
- d. Guardian may not elect to comply with an alternative compliance option for a Furnace that has had any exceedances of the final NOx emission limit(s) within the last twelve (12) months prior to this election.
- e. Guardian must continue to operate the SCR at all times as required by this permit. However, Guardian may also

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comply with a NOx limit for Abnormally Low Production Rate Days, which shall be calculated as follows:

Guardian may exclude the NOx emissions generated from the Furnace during an Abnormally Low Production Rate Day (or Days) from the 30-day Rolling Average Emission Rate.

During these days, a CEMS shall be used to demonstrate Guardian's compliance on a 24-hour Block Average with the following pound per day limit:

$$\text{NOx Abn} = 1.6 \text{ lb NOx} \text{ P} \\ \text{ton} \\ 0.35$$

Where:

NOx Abn= NOx emission limit (in pounds per Day) for Furnace using SCR during Days when an Abnormally Low Production Rate is occurring.

P = Furnace-specific production threshold = 270 Tons of glass produced per Day (35% of a 770 tons/day normal production rate). The value of P cannot exceed 270 Tons of glass produced per Day.

The maximum calculated pound per day limit of 1234 lbs of NOx is applicable only during Abnormally Low Production Rate days and exhibits the maximum threshold for 270 Tons of glass produced per Day

Manufacturer Name/Model Number: CEMS

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1234 pounds per day

Reference Test Method: CEMS

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR BLOCK AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 3 calendar month(s).

**Condition 62:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 62.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC

Emission Point: F0001

Process: FUR

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Permit ID: 8-3205-00041/00013

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## Monitoring Description:

Source/Stack Testing

All source/stack tests required by the Consent Decree shall be conducted in accordance with the requirements of the specified Test Method and shall be performed under representative Operating conditions or applicable state requirements for the Furnace being tested. Each test shall be comprised of at least three (3) valid one-hour stack test runs. Guardian shall discard any invalid test runs, such as those that are compromised because of sample contamination. If a test run is discarded, Guardian shall replace it with an additional valid test run. Guardian shall report the results of the discarded test runs to EPA and NYSDEC and shall provide all information necessary to document why the test run was not valid.

Source/stack testing shall not be conducted during Abnormally Low Production Rate Days, a Furnace Startup, a Control Device Startup, a Malfunction of the Furnace or relevant Control Device, or Maintenance of the Furnace or relevant Control Device.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 63:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Recordkeeping During Furnace Startup

Guardian must keep the following records during Furnace Startup.

- a. The amount of salt cake added to the batch materials in pounds per ton of total batch material (including cullet);
- b. The total natural gas usage in the Furnace (in million standard cubic feet);
- c. The excess oxygen percentage (as measured and recorded

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using a probe and portable analyzer in the crown of each Furnace regenerator at least once per shift); and

d. A description of whether thermal blankets or similar techniques were used during this period.

**Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION**

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 64: Compliance Certification  
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC      Emission Point: F0001  
Process: FUR

Regulated Contaminant(s):      CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

## NOx Limit During Maintenance of the Canals, SCR, Dry Scrubber or PD

For any Operating Day where maintenance activities on the canals, SCR (Control ID SCR01), Dry Scrubber (Control ID DS001) or PD (Control ID ESP01) are performed, Guardian may exclude the Maintenance Day from the 30-day Rolling Average NOx Removal Efficiency. For any day which is excluded from the 30-day Rolling Average NOx Removal Efficiency, a NOx CEMS shall be used to demonstrate compliance on a 24-hour block average with the following pound per day limit:

$$\text{NOxSCRMain} = \frac{0.2}{24} + \frac{0.8}{24}$$

Where: NOxSCRMMain = NOx emission limit for the Furnace during maintenance of the canals, SCR, DS or PD, in pounds per Day

A = NOx w/o SCR = NOx emission limit for the Furnace using SCR during an event where the SCR is not operating, in

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pounds per Day  
MH = Hours of Maintenance  
NH = Normal Hours = 24 - MH

**Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION**

Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 3 calendar month(s).

**Condition 65: Compliance Certification**  
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC      Emission Point: F0001  
Process: FUR

**Item 65.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

## Maintenance for Control Devices and Canal Changes:

a. Scheduled or Preventive Maintenance on Control Devices

Any Operating hour that is exempted from the applicable 30-day Rolling Average Emission Rate because of

Maintenance being performed on a Control Device is subject to the following restrictions and must comply with the following requirements:

Scheduled or preventive Maintenance of Control Devices shall occur and shall be completed while the Furnace connected to the Control Device(s) is not Operating, unless the Furnace connected to the Control Device is scheduled to have a Continuous Operating Year. During a Continuous Operating Year, scheduled or preventive

Maintenance on the Control Devices may be conducted while the Furnace connected to the Control Device(s) is Operating. All Control Device Maintenance occurring during a Continuous Operating Year must also be performed in accordance with the following requirements:

in accordance with the following requirements:

- i. Maintenance on all add-on Control Devices shall not exceed 144 hours total per Calendar Year.
- ii. Bypassing a SCR for the purpose of preventive Maintenance shall not exceed 144 hours per Calendar Year.

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Bypass of the SCR required as a result of bypassing the PD or Dry Scrubber shall count towards the 144 hour limit.

iii. Bypassing the PD for the purpose of preventive Maintenance shall not exceed 144 hours per Calendar Year. Furthermore, if the PD is bypassed, the associated Dry Scrubber and SCR must be bypassed as well.

iv. Bypassing the Dry Scrubber for the purpose of preventive Maintenance shall not exceed 144 hours per calendar year. Bypass of the Dry Scrubber required as a result of bypassing the PD shall count towards the 144 hour limit.

b. Canal Changes. No more than once every 2 calendar years, Guardian is permitted 96 hours to complete a Canal Change on their downstream equipment. In the event a Canal Change becomes necessary in less than 2 years, Guardian shall notify NYSDEC at least 30 days prior to the Canal Change to provide the opportunity for the NYSDEC to investigate the necessity of Canal Change and object. During this period, the Furnace will operate at Abnormally Low Production Rate, good air pollution control practices will be used at all times, the Dry Scrubber and PD (if technologically feasible for the catalyst-impregnated ceramic filter system) must be operated, and the SCR must be operated unless the inlet temperature or flow to the SCR drops to less than 115% of the minimum operating temperature or flow (as defined by the SCR vendor) for 15 consecutive minutes, and then Guardian may discontinue use of the SCR until temperature and flow stabilize at 115% of the recommended minimums.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 66:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 66.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

Regulated Contaminant(s):  
CAS No: 0NY210-00-0      OXIDES OF NITROGEN  
CAS No: 007446-09-5      SULFUR DIOXIDE

Permit ID: 8-3205-00041/00013

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**Item 66.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Guardian shall record:

- 1) the hourly NOx emissions (ppm) before and after the SCR as calculated using CEMS data; the hourly SO2 emissions (lb per hour) as calculated using CEMS data;
- 2) the daily production rate; and
- 3) if applicable, the 30-day rolling average emissions (removal efficiency or rate).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 67:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 67.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

**Item 67.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Guardian shall operate each Furnace passing all stack gases (except during Furnace Startup; Control Device Startup; Malfunction of the SCR, DS, or PD; or maintenance of the SCR, DS, or PD) through a SCR.

Guardian shall operate each Furnace passing all stack gases (except during Furnace Startup; Control Device Startup; Malfunction of the DS or PD; or maintenance of the DS or PD) through a DS.

Guardian shall operate each Furnace passing all stack gases (except during Furnace Startup; Control Device Startup; Malfunction of the PD; or maintenance of the PD) through a PD.

Records of investigations and corrective actions necessary to correct deviations of the above listed regulations shall be kept on-site and made available to the Department

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upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 68:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 68.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

**Item 68.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Guardian shall maintain, calibrate, and operate certified continuous emission monitoring (CEM) and recording systems to measure NOx and O2 on both the Inlet and Outlet of the SCR and SO2 in the exhaust stack of the Furnace. The CEMs shall be operated whenever the furnace or lehr is in operation, except during quality control checks or routine maintenance on the CEMs.

The CEMs must continuously monitor and record the hourly NOx and SO2 emissions concentrations (in parts per million (ppm)) during each Operating Day at the Furnace continuously. The CEMS must also calculate and record one-hour average SO2 emission rates in lbs/hour. At the end of each Operating Day, the data acquisition and handling system shall divide the total daily NOx and SO2 emissions in pounds per Day for valid CEMS hourly data by the total Tons of glass produced during the Operating Day (reduced proportionally based on the valid CEMS data hours) to describe the pound per Ton emission rate for the Operating Day. The resulting number shall be recorded in units of pounds of pollutant per Ton of glass produced for the applicable Operating Day.

To ensure the accuracy of the CEMS, the CEMS shall be installed, calibrated, certified, maintained, and operated in accordance with 40 C.F.R. § 60.13, 40 C.F.R. Part 60, Appendix B (Performance Specification 2), and 40 C.F.R. Part 60, Appendix F (Quality Assurance Procedures). All quality assurance procedures required by 40 CFR 60, Appendix F shall be conducted in accordance with the most current approved CEM Quality Assurance Plan (original June

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21, 1999, revised January 22, 2001). Corrective actions must be taken if the system or any individual monitor fails to meet the required specifications.

Guardian shall notify the Department at least 30 days prior to conducting any required testing and shall submit a test report to the Department within 30 days of completing a test.

Guardian shall maintain electronic or paper files on site of all measurements, daily zero and span checks, CEM system performance evaluations and repairs and maintenance to the system.

On a quarterly basis, Guardian shall submit a written report to EPA and the Department which includes:

- 1) a summary of all emission limit violations;
- 2) a summary of CEM operations, including downtime and out-of-control periods;
- 3) a summary of the CEM quarterly audit results; and
- 4) description of any significant changes in the process, control equipment, or CEM system.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 3 calendar month(s).

**Condition 69:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 69.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC

Emission Point: F0001

Process: FUR

**Item 69.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Guardian shall install, calibrate, certify, maintain, and operate the NOx CEMS (to monitor both the Inlet and Outlet of the SCR) and SO2 CEMS. Events that will trigger subsequent CEMS Certification (or CEMS re-Certification) include any Furnace Startup or Control Device Startup.

Guardian shall commence such CEMS re-certification no later than thirty (30) days after Furnace Startup concludes or a Control Device Startup period concludes. If a Furnace Startup and a Control Device Startup happen at

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the same time, then the CEMS re-certification shall not be conducted until the first Operating Day after the later startup event concludes.

Guardian shall not perform CEMS Certification or CEMS re-Certifications during Abnormally Low Production Rate Days, Furnace Startup, Control Device Startup, Malfunction of any Control Device, or Maintenance of any Control Device. By no later than the first Operating Day after any CEMS Certification Event concludes at a Furnace, a new CEMS Certification or CEMS re-Certification shall be performed. If a CEMS Certification Event occurs, the requirement to demonstrate compliance continuously with the NOX or SO2 emission limit will be suspended until CEMS Certification or CEMS re-Certification is complete (provided that the seven-day test required for CEMS Certification is commenced on the first Operating Day following the conclusion of the CEMS Certification Event).

Guardian shall notify the Department at least 30 days prior to conducting any required testing and shall submit a test report to the Department within 30 days of completing a test.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 70:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 70.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

Regulated Contaminant(s):  
CAS No: 007446-09-5      SULFUR DIOXIDE  
CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 70.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

For any Operating Day(s) that Guardian excludes from the relevant 30-day Rolling Average NOx Removal Efficiency or 30-day Rolling Average NOx or SO2 Emission Rate, it shall record:

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- 1) the date;
- 2) the relevant exception pursuant to which Guardian is excluding the emissions generated during that Operating Day (or Days) (i.e. Abnormally Low Production Rate Day, Furnace Startup, Control Device Startup, Malfunction, or Maintenance);
- 3) a calculation of the applicable emission limit (in pounds of NOx and/or SO2 per Day) according to the equations specified within this permit;
- 4) the emissions recorded by the CEMS (in pounds of NOx and/or SO2 per Day); and
- 5) if it was a Malfunction, an explanation and any corrective actions taken. For any Operating Day(s) excluded for Maintenance of a Control Device or Furnace, Guardian shall also record the total number of hours during which Maintenance occurred.

**Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION**

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 71: Compliance Certification  
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE  
CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 71.2:**

Compliance Certification shall include the following monitoring

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

### Monitoring Description:

## S<sub>2</sub>O<sub>2</sub> and NO<sub>x</sub> Limits During Furnace Startup

For no more than the 40 Days allowed for Furnace Startup, the Furnace exhaust may bypass the SCR (Control ID SCR01) and Dry Scrubber (Control ID DS001) to avoid having the operating inlet temperatures of the controls fall below its operational range.

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During the days that furnace exhaust bypasses controls, Guardian shall burn no more than five (5) million standard cubic feet of natural gas in that Furnace per day. When technically feasible and available, Guardian will operate the controls on the Furnace exhaust.

Parameter Monitored: NATURAL GAS

Upper Permit Limit: 5 million standard cubic feet per day

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 72:      Compliance Certification  
Effective for entire length of Permit**

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

**Item 72.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

Regulated Contaminant(s):  
CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 72.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NOx Limit During Control Device Startup or Malfunction of the SCR, Dry Scrubber or PD

For each Operating Day that the SCR does not operate or is not operating normally because of the Control Device Startup or Malfunction of the SCR, DS, or PD for any period of time, Guardian may exclude that Day's Removal Efficiency from the 30-day Rolling Average NOx Removal Efficiency. During the Days excluded from the 30-day Rolling Average NOx Removal Efficiency, NOx emissions from the Furnace (Emission Source F0001) shall be limited to a 24-hour Block Average of 8,580 pounds per Day. A NOx CEMS shall be used to demonstrate compliance with this emission limitation.

Manufacturer Name/Model Number: CEMS

Upper Permit Limit: 8580 pounds per day

Reference Test Method: CEMS

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Monitoring Frequency: CONTINUOUS  
 Averaging Method: 24 HOUR BLOCK AVERAGE  
 Reporting Requirements: QUARTERLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 3 calendar month(s).

**Condition 73:      Compliance Certification  
 Effective for entire length of Permit**

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

**Item 73.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC                      Emission Point: F0001  
 Process: FUR

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 73.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Guardian shall comply with an 80% 30-day Rolling Average NOx Removal Efficiency. This compliance limit applies at all times except during the following time periods:  
 - Furnace Startup (as set forth in this permit);  
 - Control Device Startup or Malfunction of the SCR, DS or PD (as set forth in this permit); or  
 - Maintenance of the Canals, SCR, Dry Scrubber or PD ( as set forth in this permit).

Guardian shall demonstrate compliance with the 80% 30-day Rolling Average NOx Removal Efficiency using a NOx CEMS.

Manufacturer Name/Model Number: CEMS

Parameter Monitored: OXIDES OF NITROGEN

Lower Permit Limit: 80 percent

Reference Test Method: CEMS

Monitoring Frequency: CONTINUOUS

Averaging Method: 30-DAY ROLLING AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 3 calendar month(s).

**Condition 74:      Compliance Certification  
 Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 231-2.5**

**Item 74.1:**

Permit ID: 8-3205-00041/00013

Facility DEC ID: 8320500041

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC  
Process: FUR

Emission Point: F0001

Regulated Contaminant(s):  
CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 74.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

To meet Nonattainment New Source Review (NNSR) Lowest Achievable Emissions Rate (LAER) requirements, NOx emissions from the glass furnace (U-FURNC) are limited to a maximum of 199 lbs/hr on a rolling 30-day average basis. This limit does not apply during periods of Furnace Startup, Control Device Startup, Malfunction, Maintenance of the Canals, Dry Scrubber or PD, and during Abnormally Low Production Rate Days.

To demonstrate compliance with this limit, the facility owner or operator must continuously monitor NOx emissions from U-FURNC using a continuous emission monitoring (CEM) system as required under other conditions within this permit. Emissions data must be collected and tabulated as follows:

1. The owner or operator of a glass furnace must determine compliance daily on a 30-day rolling average basis. The 30-day rolling average is the average of each 24-hour calendar day average NOx emission rate. Only days when the furnace operates shall be included in the 30-day rolling averages.
2. At a minimum, valid CEMS data must be obtained for 90 percent of the operating hours in each calendar quarter that the furnace is operating.
3. All valid CEMS data must be used in calculating emission rates even if the minimum data requirements (i.e., 90% of operating hours) are not met.
4. When NOx emissions data are not obtained because of CEMS downtime, or for periods when no valid CEMS data is available, emission data shall be obtained by using the 90th percentile value of all CEMS NOx emission data collected over the last 180 days.

Records of 30-day rolling average NOx emissions must be kept on site for five years and made available to the Department upon request.

This limit also satisfies the requirements of 40 CFR

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52.21(j) BACT and 6 NYCRR Part 220-2 RACT for NOx emissions from U-FURNC.

Manufacturer Name/Model Number: THERMO-ENVIRONMENTAL iNSTRUMENTS MODEL 42C or Equivalent  
Upper Permit Limit: 199 pounds per hour  
Reference Test Method: CEMS  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 30-DAY ROLLING AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 75:      Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 75.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC                      Emission Point: F0001  
Process: FUR

Regulated Contaminant(s):  
CAS No: 0NY075-00-5                      PM-10

**Item 75.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

To meet Prevention of Significant Deterioration (PSD)  
Best Available Control Requirements (BACT) requirements,  
PM-10 emissions from the glass furnace (Process FUR) are  
limited to 0.73 lbs/ton of glass produced.

Compliance with this limit will be demonstrated through  
stack testing once every five years. Testing must be  
conducted using reference Method 201A and Method 202. Per  
6 NYCRR 202-1, a stack test protocol must be submitted to  
the Department at least 30 days prior to conducting the  
test. A stack test report must be submitted to the  
Department within 60 days of completing the  
test.

Records of completed tests, test protocols, and supporting  
information must be maintained for a period of at least  
five years and made available to the Department upon  
request.

Upper Permit Limit: 0.73 pounds per ton

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## Reference Test Method: EPA RM 201A, RM 202

Monitoring Frequency: Once every five years

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -

#### SEE MONITORING DESCRIPTION

#### Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 76: Compliance Certification  
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.292, NSPS Subpart CC

**Item 76.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC      Emission Point: F0001  
Process: FUR

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

**Item 76.2:**

Compliance Certification shall include the following monitoring:

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

#### Monitoring Description:

To ensure compliance with the 40 CFR 60, Subpart CC particulate limit of 0.45 pounds PM/ton of flat glass produced, the average power to the ESP (Control ESP01) must be maintained at or above 14. Kilowatts (kW) on a 1-hour block average basis.

To demonstrate compliance with this limit, the facility must continuously monitor the average power to Control ESP01. The average power is defined as the average of the power values supplied to Field 1 and Field 2 of the ESP. The total power supplied to each field shall be calculated by the process control system by using the measured voltage (kV) and measured current (mA). Should the average power fall below this value, the facility owner or operator shall take immediate action to increase the average power to greater than or equal to 14.0 kW.

This parametric monitoring limit does not apply during performance tests, Furnace Startup, Control Device Startup, Malfunction, or Maintenance.

Records of 1-hour block average power, as well as maintenance, malfunctions, and corrective actions for the ESP must be maintained for a period of at least five years and made available to the Department upon request.

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Parameter Monitored: POWER  
Lower Permit Limit: 14 kilowatts  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 1-HOUR BLOCK AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 77:      Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 60.292, NSPS Subpart CC**

**Item 77.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-FURNC      Emission Point: F0001  
Process: FUR

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

**Item 77.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In accordance with Table CC-1 to 40 CFR 60.292, particulate matter (PM) emissions from gas-fired flat glass furnaces without modified processes are limited to a maximum of 0.45 lbs PM/ton flat glass produced (0.225 g PM/kg of flat glass produced).

The facility must control all stack gasses from the glass furnace (U-FURNC) using the PD (Control ESP01) except during Furnace Startup, Control Device Startup, Malfunction of the PD, or Maintenance of the PD.

To demonstrate compliance with this limit, the facility owner or operator must conduct confirmatory stack testing annually (calendar year basis) in accordance with the testing procedures under 40 CFR 60.296 using EPA Reference Method 5 (40 CFR Part 60, Appendix A-3). In accordance with 6 NYCRR 202-1, a test protocol must be submitted to the Department at least 30 days prior to conducting the stack test. A stack test report must be submitted to the Department within 60 days of completing the test.

Records of completed tests, test reports, and supporting information must be maintained for a period of at least

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five years and made available to the Department upon request.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.45 pounds per ton

Reference Test Method: EPA Method 5

Monitoring Frequency: ANNUALLY

Averaging Method: Arithmetic average of stack test runs

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 78:      Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 78.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-POWER

Process: GEN

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

CAS No: ONY075-00-0      PARTICULATES

CAS No: ONY075-00-5      PM-10

CAS No: 000630-08-0      CARBON MONOXIDE

**Item 78.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

To comply with 40 CFR 52.21 BACT requirements, the emergency generators (Process GEN, Emission Sources G00001 and G00002) are each limited to 200 hours per year of operation on a 12-month rolling basis.

To demonstrate compliance with this limit, the facility must record the hours of operation on a monthly basis and summed with the previous eleven months to calculate a 12-month rolling total.

Records of operation hours must be kept on site for five years and made available to the Department upon request.

This condition also satisfies the requirements of 6 NYCRR Part 231-2.5 NOx LAER.

Work Practice Type: HOURS PER YEAR OPERATION

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Upper Permit Limit: 200 hours  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 79:      Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 52.21(j), Subpart A**

**Item 79.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-POWER

Process: GEN

Regulated Contaminant(s):

CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY075-00-0	PARTICULATES
CAS No: 0NY075-00-5	PM-10
CAS No: 000630-08-0	CARBON MONOXIDE

**Item 79.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To comply with 40 CFR 52.21 BACT requirements, emissions from the emergency generators (Process GEN, Emission Sources G0001 and G0002) must be operated with the use of ignition timing retard with a turbo charger and aftercooler and in accordance with the manufacturer's recommendations.

This condition also satisfies the requirements of 6 NYCRR Part 231-2.5 NOx LAER.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

- (1) an emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) the equipment at the facility was being properly operated and maintained;
- (3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) the facility owner or operator notified the department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.

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

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

**Item B: 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 80: Contaminant List  
Effective for entire length of Permit**

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

**Item 80.1:**

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

CAS No: 000050-00-0  
Name: FORMALDEHYDE

CAS No: 000071-43-2  
Name: BENZENE

CAS No: 000630-08-0  
Name: CARBON MONOXIDE

CAS No: 007439-96-5  
Name: MANGANESE

CAS No: 007440-43-9  
Name: CADMIUM

CAS No: 007440-47-3  
Name: CHROMIUM

CAS No: 007446-09-5  
Name: SULFUR DIOXIDE

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CAS No: 007664-93-9  
Name: SULFURIC ACID

CAS No: 0NY059-28-0  
Name: NICKEL (NI 059)

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

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

CAS No: 0NY075-02-5  
Name: PM-2.5

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0  
Name: VOC

**Condition 81: Malfunctions and Start-up/Shutdown Activities  
Effective for entire length of Permit**

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

**Item 81.1:**

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

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

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, the air contaminants emitted, and the resulting emission rates and/or opacity.

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(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 82: Requirement to Commence Construction**  
**Effective for entire length of Permit**

**Applicable State Requirement: 6 NYCRR 201-1.15**

**Item 82.1:**

The Department may suspend, modify or revoke the permit, pursuant to 6 NYCRR Part 621, if construction has not commenced within 18 months of the date of permit issuance, or construction has been discontinued for a period of more than 18 months at any point after the date of permit issuance.

The Department may grant the facility owner or operator an extension of up to 18 months upon a showing of good cause submitted in writing.

**Condition 83: CLCPA Applicability**  
**Effective for entire length of Permit**

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

**Item 83.1:**

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 84: Air pollution prohibited**  
**Effective for entire length of Permit**

**Applicable State Requirement: 6 NYCRR 211.1**

**Item 84.1:**

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.

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Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 85:      Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement: 6 NYCRR 212-2.2**

**Item 85.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000071-43-2	BENZENE
CAS No: 007440-43-9	CADMIUM
CAS No: 007440-47-3	CHROMIUM
CAS No: 0NY059-28-0	NICKEL (NI 059)
CAS No: 007439-96-5	MANGANESE

**Item 85.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Process emissions from glass plants subject to 6 NYCRR Subpart 220-2 are exempt from 6 NYCRR Part 212 except for contaminants assigned an Environmental Rating (ER) of A. The above high toxicity air contaminants (HTACs) emitted by the glass plant have been assigned an ER of A by the Department and must demonstrate compliance with the mass emission limit (MEL) under of Table 2 to Section 212-2.2.

Actual annual emissions of the above HTACs have been demonstrated to be less than the corresponding MELs in Table 2. The facility must maintain records to demonstrate that actual emissions of the above HTACs do not exceed the MELs in Table 2 from all process operations at the facility. If emissions of any of the above HTACs exceed their corresponding MEL, the facility owner or operator must notify the Department and demonstrate compliance with the applicable degree of air cleaning specified in Table 4 to Section 212-2.3(b). Exceedance of the MEL alone shall not be considered a violation.

Records of emissions must be maintained for a period of at least five years and made available to the Department upon request.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

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Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 86: Asbestos containing surface coatings prohibited  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 221.2**

**Item 86.1:**

No person shall engage in or allow surface coating by the spraying of asbestos or asbestos-containing materials.

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

**Condition 87: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 220-2.4 (a)**

**Item 87.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-FURNC

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 87.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a glass melting furnace located at a glass plant that is a major facility of oxides of nitrogen (NOx) must maintain a file of daily glass production rates. The production rates must be summarized monthly.

Records of daily glass production rates must be retained for at least five years and must be made available to the Department during normal business hours.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 88: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 220-2.4 (c)**

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Facility DEC ID: 8320500041

**Item 88.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-FURNC

Regulated Contaminant(s):

CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 88.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator is required to operate and maintain a certified continuous emissions monitoring (CEMS) to measure NOx emissions from the glass furnace (U-FURNC).

The NOx CEMS must be calibrated, evaluated, operated, and maintained in accordance the provisions of 40 CFR 60, Appendices A, B, and F and the approved CEMS plan. Annual recertifications, quarterly accuracy, and daily calibration drift tests must be performed in accordance with Quality Procedure 1 (Proc-1) under 40 CFR 60, Appendix F.

The facility owner or operator must submit semi-annual reports to the Department summarizing the applicable NOx emissions, monitoring, and operating parameter measurements recorded during the prior six-month calendar half. The report must be postmarked by the 30th day following the end of each calendar half reporting period. These reports must be in a format acceptable to the Department and include the following:

- (a) the 30-day rolling average NOx emissions as specified under 6 NYCRR 220-2.4(c)(4);
- (b) identification of the operating hours when NOx emissions data are not included in a calculation of the 30-day rolling average emissions and the reasons for not including that data;
- (c) a comparison of the NOx emissions to the applicable NOx emissions limit(s);
- (d) type and amount of fuel burned on a daily basis and the as burned heat content of the fuel;
- (e) the total daily NOx emissions and total daily glass production; and
- (f) the results of CEMS accuracy assessments as required by 40 CFR part 60, Appendix F and any additional data quality information required by the Department.

In addition to the semi-annual reporting requirement, the

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facility owner or operator must comply with the CEMS recordkeeping and reporting requirements of 40 CFR Part 60, Subpart A and Appendix F.

Records of NOx emissions, operating data, reports, or other supporting data must be maintained for at least five years and made available 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.

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

Permit ID: 8-3205-00041/00013

Facility DEC ID: 8320500041