

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 9-0638-00027/00034  
Effective Date:

Expiration Date:

Permit Issued To: FANCHER CHAIR CO INC  
121 S WORK ST  
FALCONER, NY 14733

Contact: GARY HENRY, JR  
FANCHER CHAIR CO INC  
121 S WORK ST  
FALCONER, NY 14733  
(716) 665-4313

Facility: FANCHER CHAIR CO INC  
121 S WORK ST  
FALCONER, NY 14733

Description:

This is a renewal of the Air State Facility permit issued to Fancher Chair Co Inc. under DEC ID: 9-0638-00027. The facility is located at 121 South Work Street, Falconer, New York. The facility manufactures wooden furniture, particularly wooden chairs, constructed of kiln dried wood. Operation includes cutting, glueing, shaping, assembling, surface coating, packaging, and shipping of finished products. This renewal permit includes two (2) emission units, 1-00001 for the storage and application of surface coatings and 1-00002 for the woodworking operations. The facility operates twenty-one (21) emission points. The only operational change since Permit REN01 is the replacement of the sealer booth (Emission Source S0013) with a new booth.

To verify compliance with this Air State Permit, the facility owner/operator shall:

- 1.) follow the requirements of 6 NYCRR Part 201-7 - Federally Enforceable Emission Caps;
- 2.) follow the requirements of 6 NYCRR Part 212-2 - Allowable Emissions;
- 3.) follow the requirements of 6 NYCRR Part 228;
- 4.) perform monthly visible emission observations and
- 5.) submit a renewal application as detailed below

1.) 6 NYCRR Part 201-7 - Federally Enforceable Emission Caps

This permit contains federally enforceable emission caps to limit VOC to less than the 50-ton major source threshold during any consecutive twelve-month period. This emission cap will establish the facility as an area source and therefore not subject to the Title V permitting requirements of 6 NYCRR Part 201-6. The facility shall use the VOC content of all coatings and solvents used on-site to calculate the 12-month rolling total of VOC emissions and submit annual reports to the New York State Department of Environmental Conservation (NYSDEC). The facility shall maintain records showing the VOC emission calculations for each month and the calculation of the 12-month rolling total VOC emissions for each month. These records are to be maintained on-site for a period of five years. An annual certification is to be submitted verifying compliance with the emissions cap for each consecutive twelve-month period of the calendar year. By limiting the VOC emissions, the facility is not subject to the National Emission Standards for Wood Furniture Manufacturing Operations - 40 CFR 63 Subpart JJ.

2.) 6 NYCRR Part 212-2 - Allowable Emissions

This facility emits six (6) high toxicity air contaminants (HTACs) as identified by Table 2 in 6 NYCRR 212-2.2: Chromium Metal, Formaldehyde, Manganese Trioxide, Chromium (iii) Oxide, Hexamethylene Diisocyanate, and Naphthalene. The actual annual emissions of chromium compounds, formaldehyde, manganese compounds, and diisocyanate compounds were demonstrated to be below the respective mass emission limits (MELs) established in 6 NYCRR 212-2.2. The actual emissions for Naphthalene, as a Polycyclic Organic Matter (POM), are above the MEL established in Table 2 for POM. 212 analysis was conducted in accordance with DAR-1 procedure outlines, and naphthalene emissions were determined to be compliance with applicable Part 212 requirements. The facility shall maintain usage records of HTAC containing coatings and solvents and use these records to calculate emissions. Other pollutants emitted from surface coating operations at this facility are not A-rated contaminants, and are therefore not subject to the requirements of Part 212 per 6 NYCRR Part 212-1.4(l)

3.) 6 NYCRR Part 228 - Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers

The facility surface coating operations are principally used for coating wooden chairs are subject to Subpart 228-1.1(a)(1) Table 1 - *Class C Coating Line: Wood Finishing*. The facility has chosen the Subpart 228-1.4 Table C-2 VOC

wood finishing limits for high solids sealers and top coats which limits sealers to 1.9 pounds of VOC per pound of solids and limits topcoats to 1.8 pounds of VOC per pound of solids. Operations at the facility are subject to the General Requirements of 6NYCRR Part 228-1.3 for surface coating operations including opacity, recordkeeping, prohibition of sale or specification, and handling, storage and disposal of volatile organic compounds.

#### 4.) Visible Emission Observations

The coating operations are subject to the opacity limits of 6 NYCRR Part 228-1.3(a)(1). The emissions from the wood working operations are subject to the opacity limits in 6 NYCRR Part 212-1.6(a) and the particulate limits in 6 NYCRR Part 212-2.4(b). No facility owner or operator shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water. Visual opacity observations of each emission point should be made at least once per month while the associated spray booth and woodwork is operating, and during daylight hours.

#### 5.) Renewal and Construction Permit Applications

This Air State Facility Permit will expire ten (10) years after the date of issuance. As such, the renewal applications for Air State Permit must be submitted to NYSDEC at least 180 days prior to permit expiration in accordance with 6 NYCRR 621.11. Any changes to the facility that would result in new applicable requirements, relaxed monitoring or reporting obligations, changes to federally enforceable emission limits or permit conditions, or increases in emissions above major source thresholds require prior permit modification in accordance with 6 NYCRR 201-5.4. Minor changes not meeting these criteria must be submitted as minor modifications or, if qualifying, may be addressed through advance written notification to the Department.

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: LISA M CZECHOWICZ  
NYSDEC - REGION 9  
700 Delaware Ave  
BUFFALO, NY 14209

**Facility DEC ID: 9063800027**

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

### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

**PAGE LOCATION OF CONDITIONS**

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**DEC GENERAL CONDITIONS**

**General Provisions**

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- 7 3 Applications for permit renewals, modifications and transfers
- 8 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 8 5 Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS

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

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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

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

**Item 2.1:**

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

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

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3**

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

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

**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 9 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 9 Headquarters  
Division of Environmental Permits  
700 Delaware Ave.,  
Buffalo, NY 14209  
(716) 851-7130

**Permit ID: 9-0638-00027/00034**

**Facility DEC ID: 9063800027**

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

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:FANCHER CHAIR CO INC  
121 S WORK ST  
FALCONER, NY 14733

Facility: FANCHER CHAIR CO INC  
121 S WORK ST  
FALCONER, NY 14733

Authorized Activity By Standard Industrial Classification Code:  
2511 - WOOD HOUSEHOLD FURNITURE  
2599 - FURNITURE AND FIXTURES, NEC

Permit Effective Date:

Permit Expiration Date:

**PAGE LOCATION OF CONDITIONS****PAGE****FEDERALLY ENFORCEABLE CONDITIONS****Facility Level**

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**Emission Unit Level****EU=1-00001**

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**EU=1-00001,Proc=PF1**

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

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**Emission Unit Level**

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NOTE: \* preceding the condition number indicates capping.

**FEDERALLY ENFORCEABLE CONDITIONS**  
Renewal 2/DRAFT \*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

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

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

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

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

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

(a) Except as otherwise provided by this Part, construction or operation of a new, modified or existing air contamination source without a registration or permit issued pursuant to this Part is prohibited.

(b) If an existing facility or emission source was subject to the permitting requirements of this Part at the time of construction or modification, and the owner or operator failed to apply for a permit or registration as described in this Part, the owner or operator must apply for a permit or registration in accordance with the provisions of this Part. The facility or emission source is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing emission sources.

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

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

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

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

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

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or

operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

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

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

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

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

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

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

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

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

regulations.

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

**Condition 1: Facility Permissible Emissions**  
**Effective for entire length of Permit**

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

**Item 1.1:**

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: 0NY998-00-0  
Name: VOC

PTE: 99,000 pounds per year

**Condition 2: Capping Monitoring Condition**  
**Effective for entire length of Permit**

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

**Item 2.1:**

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 201-6

**Item 2.2:**

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

**Item 2.3:**

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 2.4:**

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 2.5:**

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 2.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

(1) The actual emissions of volatile organic compounds (VOCs) are limited to less than 99,000 pounds during any twelve consecutive month period (determined on a rolling basis) in order to establish the facility as an area source. By limiting the actual emissions, the facility will avoid the Title V permitting requirements of 6 NYCRR 201-6.

(2) The facility shall use the number of gallons of each VOC coating consumed per month, multiplied by the pounds per gallon of VOC content as-applied, to calculate the monthly VOC emissions.

(3) If the material is applied as delivered, the certified product data sheet or similar may be used to determine the VOC content. If the material is mixed or diluted before use, the as-applied VOC content of the mixture shall be calculated. If necessary, EPA Method 24 shall be used to confirm the VOC content of any surface coating.

(4) All coating consumption records and corresponding emission calculations shall be kept on site for a minimum of five years. This information shall be made available to the Department upon request. If the emission limit is exceeded, the Department shall be notified within 2 business days upon discovering the exceedance.

(5) An annual capping certification shall be submitted to verify compliance with the emissions cap for each calendar year, using the New York State DEC Annual Capping Certification form. The certification shall be submitted to the Department on or before January 30 of each year for emissions that occurred during the previous calendar year.

Parameter Monitored: VOC

Upper Permit Limit: 99000 pounds per year

Reference Test Method: EPA Method 24  
Monitoring Frequency: MONTHLY  
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 12 calendar month(s).

**Condition 3: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 3.1:**

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 4: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 4.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Emissions of A-rated contaminants from coating operations and emissions from the paint booth are subject to the opacity limitations of 6 NYCRR Part 212-1.6(a) and shall not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except only the emission of uncombined water. New York State Department of Environmental Conservation (NYSDEC) reserves the right to perform or require the performance of an EPA Method 9 opacity evaluation at any time during facility operation.

The facility shall conduct a monthly visible emissions (VE) survey of the spray booth exhaust(s) when operating. Normal operation of these processes should not result in visible emissions. If visible emissions are observed, a visible emissions survey will then be conducted on start-up of that booth and if visible emissions are still observed, the booth shall be shut-down for maintenance until such time that there are no visible emissions observed on start-up.



Process: PF1	Emission Source: C0011
Emission Unit: 1-00001 Process: PF1	Emission Source: C0012
Emission Unit: 1-00001 Process: PF1	Emission Source: C0013
Emission Unit: 1-00001 Process: PF1	Emission Source: C0014
Emission Unit: 1-00001 Process: PF1	Emission Source: C0016
Emission Unit: 1-00001 Process: PF1	Emission Source: C0017
Emission Unit: 1-00001 Process: PF1	Emission Source: S0009
Emission Unit: 1-00001 Process: PF1	Emission Source: S0010
Emission Unit: 1-00001 Process: PF1	Emission Source: S0011
Emission Unit: 1-00001 Process: PF1	Emission Source: S0012
Emission Unit: 1-00001 Process: PF1	Emission Source: S0014
Emission Unit: 1-00001 Process: PF1	Emission Source: S0016
Emission Unit: 1-00001 Process: PF1	Emission Source: S0017
Emission Unit: 1-00002 Process: PW1	Emission Source: S0034

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

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

No facility owner or operator shall cause or allow emissions of particulate that exceed 0.15 grains per cubic



Process: PF1	Emission Source: S0044
Emission Unit: 1-00001 Process: PF1	Emission Source: S0045
Emission Unit: 1-00001 Process: PF1	Emission Source: S0046
Emission Unit: 1-00002 Process: PW1	Emission Source: 0WOOD
Emission Unit: 1-00002 Process: PW1	Emission Source: C0036
Emission Unit: 1-00002 Process: PW1	Emission Source: S0035
Emission Unit: 1-00002 Process: PW1	Emission Source: S0036
Emission Unit: 1-00002 Process: PW1	Emission Source: S0047
Emission Unit: 1-00002 Process: PW1	Emission Source: S034A
Regulated Contaminant(s): CAS No: 0NY075-00-0	PARTICULATES

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 7: Spray gun exemptions**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 228-1.4 (c) (2)**

**Item 7.1:**

This Condition applies to:

Emission Unit: 100001

**Item 7.2:**

A facility applying wood finishing coatings using a spray gun must use a high volume low pressure (HVLP) spray gun except in the following instances:

- (i) the coating being applied emits less than 1.0 kg(lb) of solids used;
- (ii) for the touchup and repair;
- (iii) when the spray is automated;
- (iv) when add-on controls are employed; or
- (v) if the cumulative application is less than 5.0 percent of the total gallons of coating applied.

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

**Condition 8: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 8.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 8.2:**

Compliance Demonstration 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. Compliance will be determined by conducting daily observations of visible emissions from the emission unit, process, etc. to which this condition applies. The observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow). Observations must

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

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

This logbook must be retained at the facility for five (5) years after the date of the last entry. If the operator observes any visible emissions (other than steam – see below) the permittee will immediately investigate any such occurrence and take corrective action, as necessary, to reduce or eliminate the emissions. If visible emissions persist after corrections are made, the permittee will immediately notify the department and may be required to conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the department.

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 9: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 228-1.3 (b) (1)**

**Item 9.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00001

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

**Monitoring Description:**

The owner or operator of an emission source subject to 6 NYCRR Part 228-1 must maintain the following records in a format acceptable to the department for a period of at least five years:

1. A certification from the coating supplier or manufacturer which lists the parameters used to determine the actual VOC content of each as applied coating used at the facility.
2. Purchase, usage and/or production records of each coating material, including solvents.
3. Records identifying each air cleaning device that has an overall removal efficiency of at least 90 percent.
4. Records verifying each parameter used to calculate the overall removal efficiency, as described in Equation 2 of Section 228-1.5(c), if applicable.
5. Any additional information required to determine compliance with Part 228-1.

Upon request, the owner or operator of an emission source subject to 6 NYCRR Part 228-1 must submit a copy of the records kept in accordance with this condition to the department within 90 days of receipt of the request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 10: Surface Coating- Prohibitions  
Effective for entire length of Permit**

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

**Item 10.1:**

This Condition applies to Emission Unit: 1-00001

**Item 10.2:**

(1) No person shall sell, supply, offer for sale, solicit, use, specify, or require for use, the application of a coating on a part or product at a facility with a coating line described in Subpart 228-1.1(a) if such sale, specification, or use is prohibited by any of the provisions of this Subpart. The prohibition shall apply to all written or oral contracts under the terms of which any coating is to be applied to any part or product at an affected facility. This prohibition shall not apply to the following:

(i) coatings utilized at surface coating lines where control equipment has been installed to meet the maximum permitted VOC content limitations specified in the tables of Subpart 228-1.4;

(ii) coatings utilized at surface coating lines where a coating system is used which meets the requirements specified in Subpart 228-1.5(d); and

(iii) coatings utilized at surface coating lines that have been granted variances pursuant to Subpart 228-1.5(e).

(2) Any person selling a coating for use in a coating line subject to Subpart 228-1 must, upon request, provide the user with certification of the VOC content of the coating supplied.

**Condition 11: Surface Coating - Handling, storage and disposal  
Effective for entire length of Permit**

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

**Item 11.1:**

This Condition applies to Emission Unit: 1-00001

**Item 11.2:**

Within the work area(s) associated with a coating line, the owner or operator of a facility must:

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

(2) store in closed, non-leaking containers spent or fresh VOC solvents to be used for surface preparation, cleanup or coating removal;

(3) not use VOC solvents to cleanup spray equipment unless equipment is used to collect the cleaning compounds and to minimize VOC evaporation;

(4) not use open containers to store or dispense surface coatings and/or inks unless production, sampling, maintenance or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purpose of applying a coating material to a substrate. These devices may include, but are not limited to: spray guns, flow coaters, dip tanks, rollers, knife coaters, and extrusion coaters;

(5) not use open containers to store or dispose of spent surface coatings, or spent VOC solvents;

(6) minimize spills during the handling and transfer of coatings and VOC solvents; and

(7) clean hand held spray guns by one of the following:

(i) an enclosed spray gun cleaning system that is kept closed when not in use;

(ii) non-atomized discharge of VOC solvent into a paint waste container that is kept closed when not in use;

(iii) disassembling and cleaning of the spray gun in a vat that is kept closed when not in use; or

(iv) atomized spray into a paint waste container that is fitted with a device designed to capture atomized VOC solvent emissions.



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) In addition to the handling storage and disposal requirements of section 228-1.3, "General requirements", Fancher Chair must develop a work practice plan to minimize VOC emissions from cleaning and process operations from all coating operations for which emission control requirements are specified in this Subpart, and submit the plan to the Department for approval with the renewal application. As a minimum, the plan must specify the practices and procedures to ensure that:

(a) solvents are not being used for spray booth cleaning except when metal filters or conveyors are being cleaned or the spray booth is being refurbished;

(b) conventional air spray guns are not being;

(c) cleaning solvent from gun/line cleaning has been collected into a closed container; and the washoff tank is covered when not in use; and

(d) the use of wash off and cleaning solvents are tracked.

(2) Fancher Chait submitted the "Work Practice Implementation Plan, Revised: April 2025" with permit renewal application.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**STATE ONLY ENFORCEABLE CONDITIONS****\*\*\*\* Facility Level \*\*\*\*****NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

(2) the equipment at the facility was being properly operated and maintained;

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

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

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

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

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

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

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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 14: Contaminant List  
Effective for entire length of Permit**

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

**Item 14.1:**

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

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

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

**Condition 15: Malfunctions and Start-up/Shutdown Activities  
Effective for entire length of Permit**

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

**Item 15.1:**

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

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

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

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

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

**Condition 16: Emission Unit Definition**  
**Effective for entire length of Permit**

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

**Item 16.1:**

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

Emission Unit: 1-00001

Emission Unit Description:

Emission Unit 1-00001 consists of the finishing systems for wood furniture, including material storage vaults. Emissions include finishing materials (solvent & particulate emission) and solvent emissions from the storage vaults.

Building(s): 23

2A  
9  
9, 23 & 2A

**Item 16.2:**

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

Emission Unit: 1-00002

Emission Unit Description:

Emission Unit 1-00002 consists of the woodworking operations, including sanding, carving, turning, forming, assembly and all related operations used in the manufacture of wood furniture components and assemblies. Emissions include wood particulates.

Building(s): 2  
3  
4  
5  
6  
9

**Condition 17: Renewal deadlines for state facility permits  
Effective for entire length of Permit**

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

**Item 17.1:**

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

**Condition 18: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 18.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 18.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 9  
700 Delaware Ave.,  
Buffalo, N.Y. 14209

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 19: Air pollution prohibited  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 19.1:**

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

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

**Condition 20: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 20.1:**

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

Emission Unit: 1-00001

Emission Point: EP001

Height (ft.): 56                      Diameter (in.): 16  
NYTMN (km.): 4671.419    NYTME (km.): 153.129    Building: 9

Emission Point: EP002

Height (ft.): 40                      Diameter (in.): 9  
NYTMN (km.): 4671.419    NYTME (km.): 153.129    Building: 9

Emission Point: EP009

Height (ft.): 42                      Diameter (in.): 24  
NYTMN (km.): 4671.419    NYTME (km.): 153.129    Building: 9

Emission Point: EP010

Height (ft.): 43                      Diameter (in.): 24  
NYTMN (km.): 4671.419    NYTME (km.): 153.129    Building: 9

Emission Point: EP011

Height (ft.): 56                      Diameter (in.): 24  
NYTMN (km.): 4671.419    NYTME (km.): 153.129    Building: 9

Emission Point: EP012

Height (ft.): 56                      Diameter (in.): 24

	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9
Emission Point:	EP013		
	Height (ft.): 40	Diameter (in.): 24	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9
Emission Point:	EP014		
	Height (ft.): 45	Diameter (in.): 24	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9
Emission Point:	EP016		
	Height (ft.): 56	Diameter (in.): 24	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9
Emission Point:	EP017		
	Height (ft.): 56	Diameter (in.): 24	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9
Emission Point:	EP041		
	Height (ft.): 43	Diameter (in.): 24	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9
Emission Point:	EP042		
	Height (ft.): 56	Diameter (in.): 24	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9
Emission Point:	EP043		
	Height (ft.): 43	Diameter (in.): 15	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 23
Emission Point:	EP044		
	Height (ft.): 21	Diameter (in.): 24	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 2A
Emission Point:	EP045		
	Height (ft.): 56	Diameter (in.): 18	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9
Emission Point:	EP046		
	Height (ft.): 33	Diameter (in.): 36	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9

**Item 20.2:**

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

Emission Unit:	1-00002		
Emission Point:	EP035		
	Height (ft.): 15	Length (in.): 26	Width (in.): 26
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 2
Emission Point:	EP036		
	Height (ft.): 33	Diameter (in.): 48	
	NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9

Emission Point: EP047		
Height (ft.): 25	Length (in.): 36	Width (in.): 24
NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9

Emission Point: EP34A		
Height (ft.): 28	Length (in.): 48	Width (in.): 48
NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9

Emission Point: EP34B		
Height (ft.): 28	Length (in.): 48	Width (in.): 48
NYTMN (km.): 4671.419	NYTME (km.): 153.129	Building: 9

**Condition 21: Process Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 21.1:**

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

Emission Unit: 1-00001  
Process: PF1 Source Classification Code: 4-02-019-01

Emission Source/Control: C0009 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0010 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0011 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0012 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0013 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0014 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0016 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0017 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0041 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0042 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0045 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: C0046 - Control  
Control Type: MAT OR PANEL FILTER

Emission Source/Control: S0001 - Process

Emission Source/Control: S0002 - Process

Emission Source/Control: S0009 - Process

Emission Source/Control: S0010 - Process

Emission Source/Control: S0011 - Process

Emission Source/Control: S0012 - Process

Emission Source/Control: S0013 - Process

Emission Source/Control: S0014 - Process

Emission Source/Control: S0016 - Process

Emission Source/Control: S0017 - Process

Emission Source/Control: S0041 - Process

Emission Source/Control: S0042 - Process

Emission Source/Control: S0043 - Process

Emission Source/Control: S0044 - Process

Emission Source/Control: S0045 - Process

Emission Source/Control: S0046 - Process

**Item 21.2:**

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

Emission Unit: 1-00002

Process: PW1

Source Classification Code: 3-07-020-02

Emission Source/Control: C0036 - Control  
Control Type: SINGLE CYCLONE

Emission Source/Control: S0034 - Control  
Control Type: SINGLE CYCLONE

Emission Source/Control: S0035 - Control  
Control Type: SINGLE CYCLONE

Emission Source/Control: S0036 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: S0047 - Control

Control Type: FABRIC FILTER

Emission Source/Control: S034A - Control

Control Type: FABRIC FILTER

Emission Source/Control: 0WOOD - Process

