

Facility DEC ID: 9144800304

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 9-1448-00304/00003
Mod 0 Effective Date: 03/23/2018 Expiration Date: 03/22/2023
Mod 1 Effective Date: 07/24/2018 Expiration Date: 03/22/2023
Mod 2 Effective Date: 12/26/2018 Expiration Date: 03/22/2023
Mod 3 Effective Date: 04/18/2019 Expiration Date: 03/22/2023
Mod 4 Effective Date: 05/18/2022 Expiration Date: 03/22/2023

Permit Issued To: CLEANFIBER BUFFALO LLC
640 ELLICOTT ST STE 108
BUFFALO, NY 14203

Contact: Marco L'Italien
CleanFiber Buffalo LLC
250 Lake Ave
Buffalo, NY 14219
(207) 907-0231

Facility: CLEANFIBER BUFFALO LLC
250 LAKE AVE
BLASDELL, NY 14219

Description:

This Air State Facility (ASF) permit was modified to remove the existing pilot plant dryer (Source 00100) and add a new dryer dryer (Source 00400).

The facility is an existing structure located in an industrial area. Past uses include manufacturing of wooden pallets by the Superior Pallets company. Raw materials and finished product will be delivered and shipped from the loading docks located on the north-central and southeast sides of the building. The facility will recycle waste recyclable newsprint (WRN) and clean fiber residuals (CFR) into insulation for use in residential and commercial buildings.

The process will begin with delivery of WRN and CFR to the facility. To minimize the potential for nuisance odors, only non-putrescible materials will be used. The CFR will be obtained from Greenpac Mill, LLC., located in Niagara Falls, NY. The CFR will be stockpiled inside the building to avoid the absorption of moisture from precipitation. Upon detection of off-site odors by Department staff, the operations covered by the permit would cease and the company would propose odor control technology options for Department review and approval that would be implemented prior to resuming operations.

Processed waste recyclable newsprint (WRN) and clean fiber residuals (CFR) are blended in a mixer with a proprietary aqueous based flame retardant and charged to three natural gas-fired

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dryers. The facility includes three dryers: Sources 00200 and 00300 are arranged in series and Source 00400 will operate in parallel to 00200 and 00300. The dryers are equipped with natural gas-fired burners used to heat the air blown through the dryers which in turn dries the cellulose feedstock to a specified moisture content. The dryers are vented via dedicated stacks that serve as the exhaust for the burners as well as for the moisture driven from the cellulose. Source 00200 partially dries the material and has a maximum input of 10,720 lbs/hr. However, at that feed rate, Source 00200 cannot achieve the moisture target, and the output from Source 00200 becomes the input to Source 00300, estimated to be 7,387 lbs/hr maximum. Source 00400 dries the material and has a maximum input of 18,000 lbs/hr. Once the moisture target is achieved, the material is ready for further processing. The dried material will be packaged (typically) in 25-pound bags, palletized, and shipped to CleanFiber's customers. Sources of air contaminant emissions include the natural gas fired dryers and an exempt (<10-MMBtu/hr) gas fired hot water heater for process water.

6 NYCRR Part 201-3.2(c)(44) was removed in the latest 6 NYCRR Part 201 revision. It has been replaced with 6 NYCRR Part 201-1.16 (a) which states:

The owner or operator of a facility conducting one or more research and development activities is not required to obtain or modify a permit for those activities if:

- 1) The research and development activities do not produce commercial quantities of materials or products for sale; and
- 2) Each research and development activity is exhausted to an appropriate emissions control device.

The facility owner or operator shall maintain a record of each research and development activity conducted at the facility for a period of at least five years from the date of the record. Such records must include:

- (i) The quantity of each material used on a monthly basis;
- (ii) The material safety data sheet for each material used; and
- (iii) 12-month rolling total emissions calculations for each air contaminant emitted to the outdoor atmosphere from research and development activities.

The facility owner or operator shall make all records kept pursuant to this condition available to the Department upon request.

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
270 MICHIGAN AVE
BUFFALO, NY 14203-2915

Authorized Signature: _____ Date: ____ / ____ / ____

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Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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DEC GENERAL CONDITIONS
****** General Provisions ******
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.

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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
270 Michigan Avenue
Buffalo, NY 14203-2915
(716) 851-7165

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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640 ELLICOTT ST STE 108
BUFFALO, NY 14203

Facility: CLEANFIBER BUFFALO LLC
250 LAKE AVE
BLASDELL, NY 14219

Authorized Activity By Standard Industrial Classification Code:
2679 - CONVERTED PAPER PRODUCTS, NEC

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FEDERALLY ENFORCEABLE CONDITIONS

Mod 4/FINAL

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

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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

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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)

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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 10: Visible Emissions Limited
Effective between the dates of 03/23/2018 and 03/22/2023

Applicable Federal Requirement:6 NYCRR 211.2

Item 10.1:

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 2-1: Compliance Demonstration
Effective between the dates of 12/26/2018 and 03/22/2023

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

Replaces Condition(s) 2

Item 2-1.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 2-1.2:

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

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operation.

The permittee will conduct observations for visible emissions from the dryer emission points on a weekly basis. An uncertified observer may make the weekly readings, but must be familiar with and follow the principles of EPA Method 9. This includes, at least, making visible emission readings from a location as required in Method 9 (proper sun angle, contrasting background, line of sight, wind direction), making readings where condensed water vapor is not present, knowing the difference between condensed water vapor and opacity, and knowing where to read for attached and detached condensed water vapor plumes.

If visible emissions are observed then the permittee will immediately investigate and determine the cause, make the necessary correction, and verify that the visible emissions problem has been corrected with another visible emission reading.

Data to be recorded for visible emissions is as follows:

1. Observer's name
2. Date, time & weather
3. Were there any visible emissions, other than water vapor (yes or no).
 - a. If yes:
 - i. Description of the steps taken to determine the cause
 - ii. Description of steps taken to correct
 - iii. Results of follow-up observation
 - iv. If visible emissions persist:
 - aa. record of notification to DEC
 - bb. record of Method 9 observation, as necessary

Records of all visible emission observations, investigations and corrective actions shall be kept on-site in a format acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: USEPA Method 9
Monitoring Frequency: WEEKLY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**** Emission Unit Level ****

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Condition 2-2: Compliance Demonstration
Effective between the dates of 12/26/2018 and 03/22/2023**Applicable Federal Requirement: 6 NYCRR 212-2.5 (b)****Item 2-2.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Particulate Limit for the Dryer 00300

The permissible particulate emission rate from dryer 00300 is 9.4 pounds per hour (lb/hr), based on the applicants proposed feed rate to the dryer of 3.7 tons per hour. The dryer is considered a continuous process material dryer emitting solid particulates and water only in Table 5 of 6 NYCRR Part 212-2.5. The permissible emission rate was calculated as specified by Table 6 of 6 NYCRR Part 212-2.5 using the equation $E = 0.24P^{0.67}$. Where E is the permissible emission rate in lb/hr and P is the process weight in lb/hr.

Compliance with the applicable particulate emission limit shall be determined by a stack test performed within 180 days of startup, unless adequate documentation is provided by the permittee to the Department, within 120 days of startup, that demonstrates compliance with that emission rate. The determination as the adequacy of the documentation is in the Department's sole discretion. The process feed rate will be used to calculate the applicable emission rate during testing using the equation $E = 0.24P^{0.67}$ in Table 6 of 6 NYCRR Part 212-2.5. The Department reserves all rights to require a stack test in accordance with this permit condition.

If a stack test is conducted, a stack test protocol must be submitted for Department review and approval at least 30 calendar days before testing is scheduled. Testing shall be conducted at the maximum capacity of the dryer. A stack test report must be submitted to the Department within 60 calendar days of completing the stack test and evaluate compliance with this particulate limit.

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Should the facility prove that the actual capacity of the dryer is different from the 3.7 tons per hour cited in the application, then the emission limit must be revised to reflect the actual capacity of the dryer.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-3: Compliance Demonstration
Effective between the dates of 12/26/2018 and 03/22/2023

Applicable Federal Requirement: 6 NYCRR 212-2.5 (b)

Item 2-3.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

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

Item 2-3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Particulate Limit for the Dryer 00200

The permissible particulate emission rate from dryer 00200 is 12.0 pounds per hour (lb/hr), based on the applicants proposed feed rate to the dryer of 5.4 tons per hour. The dryer is considered a continuous process material dryer emitting solid particulates and water only in Table 5 of 6 NYCRR Part 212-2.5. The permissible emission rate was calculated as specified by Table 6 of 6 NYCRR Part 212-2.5 using the equation $E = 0.24P^{0.67}$. Where E is the permissible emission rate in lb/hr and P is the process weight in lb/hr.

Compliance with the applicable particulate emission limit shall be determined by a stack test performed within 180 days of startup, unless adequate documentation is provided by the permittee to the Department, within 120 days of startup, that demonstrates compliance with that emission rate. The determination as the adequacy of the documentation is in the Department's sole discretion. The process feed rate will be used to calculate the applicable emission rate during testing using the equation $E = 0.24P^{0.67}$ in Table 6 of 6 NYCRR Part 212-2.5. The

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Department reserves all rights to require a stack test in accordance with this permit condition.

If a stack test is conducted, a stack test protocol must be submitted for Department review and approval at least 30 calendar days before testing is scheduled. Testing shall be conducted at the maximum capacity of the dryer. A stack test report must be submitted to the Department within 60 calendar days of completing the stack test and evaluate compliance with this particulate limit.

Should the facility prove that the actual capacity of the dryer is different from the 5.4 tons per hour cited in the application, then the emission limit must be revised to reflect the actual capacity of the dryer.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 4-1: Compliance Demonstration
Effective between the dates of 05/18/2022 and 03/22/2023

Applicable Federal Requirement: 6 NYCRR 212-2.5 (b)

Item 4-1.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 100

Emission Source: 00400

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 4-1.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate Limit for the Dryer 00400

The permissible particulate emission rate from Dryer 00400 is 17.0 pounds per hour (lb/hr), based on the applicants proposed feed rate to the dryer of 9 tons per hour. The dryer is considered a continuous process material dryer emitting solid particulates and water only in Table 5 of 6 NYCRR Part 212-2.5. The permissible emission rate was calculated as specified by Table 6 of 6 NYCRR Part 212-2.5 using the equation $E = 0.024P^{0.67}$. Where E is the permissible emission rate in lb/hr and P is the process weight in lb/hr.

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The feedstock fed into Dryer 00400 will be the same as Dryers 00200 and 00300. It is anticipated that particulate emissions from Dryer 00400 will be less than Dryer 00200 on an emission per feed rate basis. In order to be conservative, the dryer emission factor of 0.498 lb/ton (from emission testing of Dryer 00200) is used for Dryer 00400. Using this emission factor, the particulate emission rate from Dryer 00400 is estimated at 4.48 lb/hr, which is well below the permissible particulate emission rate of 17.0 lb/hr.

The Department reserves all rights to require a stack test in accordance with this permit condition.

If a stack test is conducted, a stack test protocol must be submitted for Department review and approval at least 30 calendar days before testing is scheduled. Testing shall be conducted at the maximum capacity of the dryer. A stack test report must be submitted to the Department within 60 calendar days of completing the stack test and evaluate compliance with this particulate limit.

Should the facility prove that the actual capacity of the dryer is different from the 9 tons per hour cited in the application, then the emission limit must be revised to reflect the actual capacity of the dryer.

Upper Permit Limit: 17.0 pounds per hour

Reference Test Method: USEPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: Arithmetic average of stack test runs

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined 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

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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 4: Contaminant List
Effective between the dates of 03/23/2018 and 03/22/2023

Applicable State Requirement:ECL 19-0301

Item 4.1:

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

Condition 5: Malfunctions and start-up/shutdown activities
Effective between the dates of 03/23/2018 and 03/22/2023

Applicable State Requirement:6 NYCRR 201-1.4

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Item 5.1:

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

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

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

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

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

Condition 4-2: Malfunctions and Start-up/Shutdown Activities
Effective between the dates of 05/18/2022 and 03/22/2023**Applicable State Requirement:6 NYCRR 201-1.4****Item 4-2.1:**

(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

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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 4-3: Compliance Demonstration
Effective between the dates of 05/18/2022 and 03/22/2023

Applicable State Requirement: 6 NYCRR 201-1.16 (a)

Item 4-3.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 4-3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a facility conducting one or more research and development activities is not required to obtain or modify a permit for those activities if:

1) The research and development activities do not produce commercial quantities of materials or products for sale;
and

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2) Each research and development activity is exhausted to an appropriate emissions control device.

The facility owner or operator shall maintain a record of each research and development activity conducted at the facility for a period of at least five years from the date of the record. Such records must include:

(i) The quantity of each material used on a monthly basis;

(ii) The material safety data sheet for each material used; and

(iii) 12-month rolling total emissions calculations for each air contaminant emitted to the outdoor atmosphere from research and development activities.

The facility owner or operator shall make all records kept pursuant to this condition available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 6: Emission Unit Definition
Effective between the dates of 03/23/2018 and 03/22/2023

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 6.1(From Mod 4):

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

Emission Unit: U-00001

Emission Unit Description:

This emission unit includes the cellulose drying process, in which a mix of waste recyclable newsprint (WRN) and clean fiber residuals (CFR) is dried in any three natural gas fired dryers to reduce the moisture content to a nominal concentration. The drying process results in particulate matter (PM) emissions and criteria contaminant emissions from natural gas combustion. Dryer emissions are uncontrolled.

Building(s): MAIN

Condition 7: Renewal deadlines for state facility permits
Effective between the dates of 03/23/2018 and 03/22/2023

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

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Item 7.1:

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 2-5: Compliance Demonstration
Effective between the dates of 12/26/2018 and 03/22/2023

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

Replaces Condition(s) 8

Item 2-5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility will minimize the potential for malodorous events by:

- 1) Limiting feedstocks to non-putrescible CFR, which will be obtained only from Greenpac Mill, LLC., Niagara Falls, NY; and
- 2) Maintaining feedstocks, product, and waste material inside under cover to avoid exposure to precipitation.

Once per day, during days of operation, incoming personnel not subject to olfactory fatigue will make an observation of whether any abnormal noticeable odors with potential to interfere with the comfortable enjoyment of life or property are occurring. If so, an investigation into the cause will be initiated immediately and corrective action taken. Corrective action shall be in the form of either reducing production or shutting down the process. The results of the daily observations and any corrective actions taken will be documented in a log book.

Upon detection of off-site odors constituting a nuisance, the operations covered by this permit will cease and the permittee will propose odor control technology options, for Department review and approval, that will be implemented prior to resuming operations.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-6: Compliance Demonstration

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Effective between the dates of 12/26/2018 and 03/22/2023

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

Item 2-6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-6.2:

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
270 Michigan Ave.
Buffalo, NY 14203

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1: Air pollution prohibited

Effective between the dates of 03/23/2018 and 03/22/2023

Applicable State Requirement:6 NYCRR 211.1

Item 1.1:

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 11: Emission Point Definition By Emission Unit

Effective between the dates of 03/23/2018 and 03/22/2023

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 11.1(From Mod 4):

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

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Emission Unit: U-00001

Emission Point: 0001C
 Height (ft.): 50 Diameter (in.): 38
 NYTMN (km.): 4745.3 NYTME (km.): 186.21 Building: MAIN

Emission Point: 0001D
 Height (ft.): 50 Diameter (in.): 38
 NYTMN (km.): 4745.3 NYTME (km.): 186.21 Building: MAIN

Emission Point: 0001E
 Height (ft.): 50 Diameter (in.): 54
 NYTMN (km.): 4745.314 NYTME (km.): 186.228 Building: MAIN

Emission Point: 0001F
 Height (ft.): 50 Diameter (in.): 54
 NYTMN (km.): 4745.314 NYTME (km.): 186.218 Building: MAIN

Condition 12: Process Definition By Emission Unit
 Effective between the dates of 03/23/2018 and 03/22/2023

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 12.1(From Mod 4):

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

Emission Unit: U-00001
 Process: 100 Source Classification Code: 3-07-012-20
 Process Description:

Processed waste recyclable newsprint (WRN) and clean fiber residuals (CFR) are blended in a mixer and charged to three natural gas-fired dryers. The dryers include two dryers arranged in series (Sources 00200 and 00300) and a single dryer (Source 00400). The dryers are equipped with natural gas-fired burners used to heat the air blown through the dryers which in turn dries the cellulose feedstock to a specified moisture content. The dryers are vented via dedicated stacks that serve as the exhaust for the burners as well as for the moisture driven from the cellulose.

Source 00200 (EP 0001C), partially dries the material and has a maximum input of 10,720 lbs/hr. However, at that feed rate, Source 00200 cannot achieve the moisture target, and the output from Source 00200 becomes the input to Source 00300 (EP 0001D), estimated to be 7,387 lbs/hr maximum. Once the moisture target is achieved, the material is ready for further processing.

Source 00400 (EP 0001E and 0001F) dries the material and has a maximum input of 18,000 lbs/hr. The single dryer

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will allow the moisture target to be achieved.

Emission Source/Control: 00200 - Process

Emission Source/Control: 00300 - Process

Emission Source/Control: 00400 - Process

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