

Facility DEC ID: 9291100112

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility

Permit ID: 9-2911-00112/00237

Effective Date: 05/01/2025 Expiration Date: 04/30/2035

Permit Issued To: OCCIDENTAL CHEMICAL CORPORATION

4700 BUFFALO AVE

NIAGARA FALLS, NY 14304

Contact:

TIMOTHY BATHORY

OCCIDENTAL CHEMICAL CORPORATION - NIAGARA PLANT

4700 BUFFALO AVE

NIAGARA FALLS, NY 14304

(716) 278-7679

Facility:

OCCIDENTAL CHEMICAL CORPORATION - NIAGARA PLANT

4700 BUFFALO AVE

NIAGARA FALLS, NY 14304

Description:

The Facility was formerly a chemical production plant in Niagara Falls, Niagara County. The Facility ceased production of dechlorane plus and chlorine/caustics in May 2016 and September 2021, respectively. The only remaining emission source pertinent to air emissions permitting includes a groundwater treatment system, which is a source of volatile organic compounds (VOC) and hazardous air pollutant (HAP) emissions. This permit is Air State Facility (ASF), renewal 0, for the continued operation of the groundwater treatment system located at the Facility. This ASF permit replaces the Facility's two existing Air Title V permits issued on March 14, 2014, for chlorine/caustics production (Permit ID: 9-2911-00112/00233) and dechlorane plus production/groundwater treatment system (Permit ID 9-2911-00112/0234).

The Facility operates one (1) emission unit subject to 6 NYCRR 212 – Process Operations, as described below:

F-00001: This emission unit consists of the "F" Area groundwater storage and treatment system used to treat overburden and bedrock groundwater. The treatment system includes the following: storage tank affixed with an activated carbon drum, organic phase separator, filter, air stripper, activated carbon system, regenerative thermal oxidizer (RTO), and a vertical packed bed acid gas scrubber (scrubber).

Air Treatment Pathway: Air Stripper → RTO → Scrubber

Volatilized organics laden in the air stream at the outlet of the air stripper are fed to the RTO for destruction of VOC and HAPs. The RTO has a manufacturer rated destruction efficiency of 98% for VOC. Following the RTO, the air stream is quenched to reduce temperatures before being channeled through the scrubber for hydrogen chloride (HCl) and HAPs removal. The Facility utilizes water as the scrubbing liquid but does have the capability of utilizing caustic if issues arise with the operation of the scrubber. The scrubber has a manufacturer rated removal efficiency of 95% for HCl.

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Emissions from F-00001 consist of High Toxicity Air Contaminants (HTACs) and non-HTACs. HTAC emissions include benzene, formaldehyde, perchloroethylene, trichloroethylene, and vinyl chloride, which all have actual emissions less than 30 lbs/year and meet their respective mass emission limits per Part 212-2.2 Table 2 HTAC List. HCl is the only non-HTAC emitted by F-00001 at an actual emission rate greater than 100 lbs/yr. Individual HTACs and non-HTACs emitted by the Facility are compliant with Part 212.

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: MICHELLE R WOZNICK
NYSDEC - REGION 9
700 DELAWARE AVE
BUFFALO, NY 14209

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

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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
 700 Delaware Ave.,
 Buffalo, NY 14209
 (716) 851-7130

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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Permit Issued To: OCCIDENTAL CHEMICAL CORPORATION
4700 BUFFALO AVE
NIAGARA FALLS, NY 14304

Facility: OCCIDENTAL CHEMICAL CORPORATION - NIAGARA PLANT
4700 BUFFALO AVE
NIAGARA FALLS, NY 14304

Authorized Activity By Standard Industrial Classification Code:
8744 - FACILITIES SUPPORT SERVICES

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FEDERALLY ENFORCEABLE CONDITIONS

FINAL

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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 1: Visible Emissions Limited
Effective between the dates of 05/01/2025 and 04/30/2035

Applicable Federal Requirement: 6 NYCRR 211.2

Item 1.1:

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: Compliance Demonstration
Effective between the dates of 05/01/2025 and 04/30/2035

Applicable Federal Requirement: 6 NYCRR 212-1.5 (g)

Item 2.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Groundwater in the "F" Area is pumped by a series of collection wells and an overburden collection system into a storage tank, ES-F0101, and its associated emission point, EP-F5201. The storage tank vents to a carbon drum before being exhausted to the atmosphere. The Facility shall operate and maintain the storage tank and its associated emission control, carbon drum, in a manner consistent with safety, good air pollution control practices, and manufacturers' recommendations to minimizing emissions.

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To ensure proper operation and maintenance the Facility shall conduct sampling on the carbon drum with an HNU meter (or similar type organic meter) at least once per month to verify that breakthrough of volatile organic compounds (VOC) has not occurred. If the organic reading is greater than 50 ppm then the carbon drum must be replaced. The meter is to be calibrated to manufacturer specifications.

Records of sampling, HNU meter calibrations, and the HNU meter manual shall be kept on-site in a bound logbook or an equivalent method, including electronic media. These records shall include but not limited to the date, time, name of sampler, serial number of HNU meter, date of latest HNU meter calibration. These records shall be kept on-site for a period of 5 years and be readily available upon request from a NYSDEC representative.

Parameter Monitored: VOC

Upper Permit Limit: 50 parts per million (by volume)

Monitoring Frequency: MONTHLY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3: Compliance Demonstration
Effective between the dates of 05/01/2025 and 04/30/2035

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

Item 3.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 3.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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 emission source subject to 6 NYCRR 212 – Process Operations, except for the emission of uncombined water. NYSDEC reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The Facility shall conduct periodic visual observations monthly on the emission points/controls associated with the groundwater treatment system. The Facility shall

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immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred. No visible emissions are expected during the operation of the groundwater treatment system.

If visible emissions are observed above those that are normal during anytime the groundwater treatment system is operating, the Facility shall notify NYSDEC in writing (electronic or equivalent method) as soon as possible during normal working hours, but not later than two working days after visible emissions were observed. The Facility shall determine the cause of any instance where there are visible emissions other than condensing moisture or steam, make the necessary correction, and verify that the visible emissions problem has been corrected.

Records of visible emissions observations, investigations and corrective actions shall be kept on-site in a bound logbook or an equivalent method, including electronic media. These records shall include the date, time, name of observer, weather conditions and a description of the observations (steam, visible emissions, etc.). These records shall be kept on-site for a period of 5 years and be readily available upon request from a NYSDEC representative.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: MONTHLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 4: Compliance Demonstration
Effective between the dates of 05/01/2025 and 04/30/2035

Applicable Federal Requirement: 6 NYCRR 212-1.7 (b)

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:

The "F" Area groundwater treatment system includes the use of a regenerative thermal oxidizer (RTO) for destruction of VOC and hazardous air pollutants (HAPs). The Facility must operate and maintain the RTO in

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accordance with manufacturer specifications to ensure manufacturer rated destruction efficiency of these air contaminants is met. The Facility must install, operate, and maintain continuous monitors and data recorders to monitor and record the RTO combustion chamber temperature according to manufacturer specifications.

The Facility shall operate the RTO combustion chamber at a temperature equal to or exceeding 1550 degrees Fahrenheit continuously while contaminated groundwater is being fed to the treatment system, based on the temperature specified by the RTO manufacturer. The continuous monitor shall be operated at all times while contaminated groundwater is being fed to the treatment system. An interlock shall be utilized to automatically shut off the feed pump of contaminated groundwater to the treatment system during times where the RTO combustion chamber temperature requirement is not met.

If RTO operation deviates from the required temperature limit during anytime the groundwater treatment system is functioning, other than during times of routine maintenance where the groundwater feed pump to the air stripper is shut off, the Facility shall notify NYSDEC in writing (electronic or equivalent method) as soon as possible during normal working hours, but not later than two working days after each occurrence. The Facility shall determine the cause of any instance where the RTO does not meet the required operating temperature requirement, make the necessary correction, and verify that the problem has been corrected.

At minimum, the Facility shall verify RTO temperature monitoring records for compliance with this limit and record the verification once monthly. Records of RTO combustion chamber temperature, monthly RTO temperature record verifications, calibration records or thermocouple replacements, RTO inspections, and maintenance records shall be maintained on-site for a period of 5 years and be made readily available upon request from a NYSDEC representative.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1550 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 5: Compliance Demonstration
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Applicable Federal Requirement: 6 NYCRR 212-2.3 (b)**Item 5.1:**

The Compliance Demonstration activity will be performed for the Facility.

Item 5.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The "F" Area groundwater treatment system includes the use of a vertical packed bed acid gas scrubber (scrubber) to control emissions of HCl generated by the combustion of VOC within the RTO. The Facility must operate and maintain the scrubber system in accordance with manufacturer specifications to ensure manufacturer rated removal efficiency and off-site air guideline concentrations for HCl are met. The Facility must install, operate, and maintain continuous flow monitors for scrubbing liquid (water) flow rate into the scrubber.

The scrubber flow rate shall be maintained at a rate greater than 90 gallons per minute. Scrubber flow rate shall be continuously monitored and recorded via a flow meter. If the scrubber flow rate falls below the specified limit, the feed pump of contaminated water to the air stripper shall be automatically shut off until the scrubber parameters are brought back into range.

If scrubber operation deviates from this operational limit during anytime the groundwater treatment system is functioning, other than during times of routine maintenance where the groundwater feed pump to the air stripper is shut off, the Facility shall notify NYSDEC in writing (electronic or equivalent method) as soon as possible during normal working hours, but not later than two working days after each occurrence. The Facility shall determine the cause of any instance where the scrubber does not meet the required operational limit, make the necessary correction, and verify that the problem has been corrected.

At minimum, the Facility shall verify scrubber liquid flowrate monitoring records for compliance with this limit and record the verification once monthly. Records of scrubber liquid pH and flow rate, monthly scrubber pH and flowrate record verifications, scrubber inspections, calibration, and maintenance records shall be maintained on-site for a period of 5 years and be made readily available upon request from a NYSDEC

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representative.

Parameter Monitored: FLOW RATE

Lower Permit Limit: 90 gallons per minute

Monitoring Frequency: CONTINUOUS

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED

VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 6: Compliance Demonstration

Effective between the dates of 05/01/2025 and 04/30/2035

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

Item 6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The "F" Area groundwater treatment system includes the use of a scrubber to control emissions of hydrogen chloride (HCl) generated by the combustion of VOC within the RTO. The Facility must operate and maintain the scrubber system in accordance with manufacturer specifications to ensure manufacturer rated removal efficiency and off-site air guideline concentrations for HCl are met. The Facility must install, operate, and maintain continuous monitors for pH of the scrubber liquid.

The scrubber liquid pH shall be maintained at a pH greater than or equal to 1.1 and be continuously monitored and recorded utilizing a digital pH controller. If the scrubber pH falls below the specified limit, the feed pump of contaminated water to the air stripper shall be automatically shut off until the scrubber parameters are brought back into range.

If scrubber operation deviates from this operational limit during anytime the groundwater treatment system is functioning, other than during times of routine maintenance where the groundwater feed pump to the air stripper is shut off, the Facility shall notify NYSDEC in writing (electronic or equivalent method) as soon as possible during normal working hours, but not later than

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two working days after each occurrence. The Facility shall determine the cause of any instance where the scrubber does not meet the required operational limit, make the necessary correction, and verify that the problem has been corrected.

At minimum, the Facility shall verify scrubber liquid pH monitoring records for compliance with this limit and record the verification once monthly. Records of scrubber liquid pH and flow rate, monthly scrubber pH and flowrate record verifications, scrubber inspections, calibration, and maintenance records shall be maintained on-site for a period of 5 years and be made readily available upon request from a NYSDEC representative.

Parameter Monitored: PH

Lower Permit Limit: 1.1 pH (STANDARD) units

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 7: Compliance Demonstration
Effective between the dates of 05/01/2025 and 04/30/2035

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

Item 7.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000075-00-0 PARTICULATES

Item 7.2:

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).

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Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Averaging Method: Arithmetic average of stack test runs

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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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 8: Contaminant List
Effective between the dates of 05/01/2025 and 04/30/2035

Applicable State Requirement: ECL 19-0301

Item 8.1:

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 9: Malfunctions and Start-up/Shutdown Activities
Effective between the dates of 05/01/2025 and 04/30/2035

Applicable State Requirement: 6 NYCRR 201-1.4

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Item 9.1:

(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 10: Emission Unit Definition**Effective between the dates of 05/01/2025 and 04/30/2035****Applicable State Requirement: 6 NYCRR Subpart 201-5****Item 10.1:**

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

Emission Unit: F-00001

Emission Unit Description:

This emission unit consists of the "F" Area Groundwater Storage and Treatment System used to treat overburden and bedrock groundwater. The treatment system includes the

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following: storage tank affixed with an activated carbon drum, organic phase separator, filter, air stripper, activated carbon system, regenerative thermal oxidizer (RTO), and a vertical packed bed acid gas scrubber (scrubber).

Air Treatment Pathway: Air Stripper → RTO → Scrubber

Volatilized organics laden in the air stream at the outlet of the air stripper are fed to the RTO for destruction of volatile organic compounds (VOC) and hazardous air pollutants (HAPs). The RTO has a manufacturer rated destruction efficiency of 98% for VOC. Following the RTO, the air stream is quenched to reduce temperatures before being channeled through the scrubber for hydrogen chloride (HCl) and HAPs removal. The Facility utilizes water as the scrubbing liquid but does have the capability of utilizing caustic if issues arise with the operation of the scrubber. The scrubber has a manufacturer rated removal efficiency of 95% for HCl.

F-00001 is comprised of the following emission sources/controls:

ES-F0101: Contaminated groundwater storage tank
ESC-F0102: Carbon drum installed on storage tank vent
ES-F0201: Air stripper
ESC-F0202: RTO
ESC-F0203: Scrubber

Building(s): BLDG F52

Condition 11: Renewal deadlines for state facility permits
Effective between the dates of 05/01/2025 and 04/30/2035

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

Item 11.1:

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 12: Compliance Demonstration
Effective between the dates of 05/01/2025 and 04/30/2035

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

Item 12.1:

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The Compliance Demonstration activity will be performed for the Facility.

Item 12.2:

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 13: Air pollution prohibited
Effective between the dates of 05/01/2025 and 04/30/2035

Applicable State Requirement:6 NYCRR 211.1

Item 13.1:

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 14: Emission Point Definition By Emission Unit
Effective between the dates of 05/01/2025 and 04/30/2035

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 14.1:

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

Emission Unit: F-00001

Emission Point: F5201

Height (ft.): 12 Diameter (in.): 10
NYTMN (km.): 4777.681 NYTME (km.): 173.339 Building: BLDG F52

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Emission Point: F5202

Height (ft.): 50

Diameter (in.): 20

NYTMN (km.): 4777.659 NYTME (km.): 173.356 Building: BLDG F52

Condition 15: Process Definition By Emission Unit

Effective between the dates of 05/01/2025 and 04/30/2035

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 15.1:

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

Emission Unit: F-00001

Process: F01

Source Classification Code: 5-04-001-51

Process Description:

Groundwater in the "F" Area is pumped by a series of collection wells and an overburden collection system into a decanter/storage tank. Emissions from the vent on the storage tank are controlled through an activated carbon drum. The contaminated groundwater is fed from this storage tank at a controlled rate to the groundwater treatment system.

Emission Source/Control: F0102 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: F0101 - Process

Item 15.2:

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

Emission Unit: F-00001

Process: F02

Source Classification Code: 5-04-105-60

Process Description:

The "F" Area Groundwater Storage and Treatment System is used to treat overburden and bedrock groundwater. The treatment system includes the following: storage tank affixed with an activated carbon drum, organic phase separator, filter, air stripper, activated carbon system, regenerative thermal oxidizer (RTO), and a vertical packed bed acid gas scrubber (scrubber).

Air Treatment Pathway: Air Stripper → RTO → Scrubber

Volatilized organics laden in the air stream at the outlet of the air stripper are fed to the RTO for destruction of VOC and HAPs. Following the RTO, the air stream is quenched to reduce temperatures before being channeled through a vertical packed bed tower scrubber for HCl and further HAPs removal.

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Emission Source/Control: F0202 - Control
Control Type: THERMAL OXIDATION

Emission Source/Control: F0203 - Control
Control Type: WET SCRUBBER

Emission Source/Control: F0201 - Process

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