

**Division of Air Resources
Permit Review Report**

Permit ID: 3-3309-00064/00013

Renewal Number: 4

04/08/2024

Facility Identification Data

Name: GENPAK LLC MIDDLETOWN MAIN PLANT

Address: 26 REPUBLIC PLZ

MIDDLETOWN, NY 10940

Owner/Firm

Name: GENPAK LLC

Address: 26 REPUBLIC PLAZA

MIDDLETOWN, NY 10940, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: KATHERINE T COFFIN

Address: NYSDEC - Region 3

21 S Putt Corners Rd

New Paltz, NY 12561

Phone:

Division of Air Resources:

Name: GARRICK L BRYANT

Address: NYSDEC - REGION 3

21 S PUTT CORNERS RD

NEW PALTZ, NY 12561

Air Permitting Contact:

Name: CHRISTIAN MURPHY

Address: 26 REPUBLIC PLAZA

MIDDLETOWN, NY 10940

Phone:8456456963

Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

Application is being submitted to renew Genpak's current Title V air permit. No modifications or additions have been made to the facility since the issuance of the last permit. Silo no. 7 is no longer used for sesame regrind and is now used for black regrind.

Attainment Status

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GENPAK LLC MIDDLETOWN MAIN PLANT is located in the town of MIDDLETOWN in the county of ORANGE.

The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	MODERATE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

** NOx has a separate ambient air quality standard in addition to being an ozone precursor.

Facility Description:

Genpak LLC is a manufacturer of foamed polystyrene food trays and containers. Polystyrene pellets are extruded where talc and a blowing agent are added to produce an expanded polystyrene foam sheet. The foam sheet is thermoformed and cut to final product.

Air emission sources include various storage silos, (2) repelletizers, (4) extruders, thermoformers, (2) printers, and a storage area for the foam sheets. The thermoformers, printers, and (11) of the storage silos are exempt from air permitting.

Potential VOC emissions from each of the two repelletizers and storage silos no. 3 and no. 13 are greater than 3.0 pounds per hour. In accordance with Part 212-3(c), the facility must comply with reasonably available control technology (RACT) requirements for VOC emissions from these repelletizers and silos. A thermal oxidizer is utilized at the facility to comply with these requirements. VOC emissions from all other emission sources at the facility are less than 3.0 pounds per hour, and thus, are not subject to Part 212-3(c).

Permit Structure and Description of Operations

The Title V permit for GENPAK LLC MIDDLETOWN MAIN PLANT is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning

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device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

GENPAK LLC MIDDLETOWN MAIN PLANT is defined by the following emission unit(s):

Emission unit USILO1 - This emission unit consists of storage silos no. 3 and no. 13, two repelletizers, and a thermal oxidizer. The two repelletizers remelt and reshape recycled polystyrene material. Storage silos no. 3 and no. 13 are used to store white and black polystyrene fluff regrind material. VOC emissions from the two repelletizers and two silos are captured and ducted to a thermal oxidizer.

Emission unit USILO1 is associated with the following emission points (EP):
00001

Process: 002 Silos no. 3 and no. 13 are the primary storage silos used to store recycled polystyrene fluff.

Process: REP Two repelletizers remelt and reshape the recycled scraps of expanded polystyrene foam sheets.

Emission unit USILO2 - This emission unit consists of storage Silos no. 7, no. 8, and no. 16. Storage silo 7 is used to store black regrind. Storage silo 8 is used to store backup white regrind. Storage silo 16 is used to store backup black regrind.

Emission unit USILO2 is associated with the following emission points (EP):
0SIL7, 0SIL8, SIL16

Process: 003 Polystyrene regrind Silo No. 7, Polystyrene foam regrind Silo No. 8, and polystyrene regrind Silo No. 16 are used to store recycled polystyrene fluff or regrind.

Emission unit UEXTRU - This emission unit consists of the extruders where a nuclent (talc) and a blowing agent are added to polystyrene pellets.

Process: EXT Polystyrene pellets are introduced to an extruder via a conveyor from the storage silos. At the throat of the extruder, talc is added by a volumetric feeder. The mixture enters the extruder screw and melt zone, and then a blowing agent is injected as a blowing agent. A second extruder receives the mixture which is cooled at a constant pressure. After exiting the extruder, the mixture is stretched into foam sheets.

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Emission unit URSTOR - This emission unit consists of the polystyrene roll storage area with six blowers ducted from the roof down to the floor to create a floor sweep of blowing agent from the rolls being stored before use.

Emission unit URSTOR is associated with the following emission points (EP):

BLWR1, BLWR2, BLWR3, BLWR4, BLWR5, BLWR6

Process: 004 Polystyrene rolls are stored before use. Six blowers create a floor sweep across the storage area floor to collect small deposits of blowing agent.

Title V/Major Source Status

GENPAK LLC MIDDLETOWN MAIN PLANT is subject to Title V requirements. This determination is based on the following information:

Genpak LLC Middletown Main Plant is subject to Title V requirements. This determination was based upon the following information:

The potential to emit volatile organic compounds (VOC) from the facility is more than the major source threshold of 50 tons per year. Therefore, the facility is deemed major.

Program Applicability

The following chart summarizes the applicability of GENPAK LLC MIDDLETOWN MAIN PLANT with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	NO
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	NO
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52.21, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

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NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH, 6 NYCRR 200.10) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or

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distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code	Description
3086	PLASTICS FOAM PRODUCTS
3089	PLASTICS PRODUCTS, NEC

SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
3-08-009-01	RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS- FABRICATED PLASTIC PRODUCTS
3-99-999-94	POLYSTYRENE:GENERAL MISCELLANEOUS MANUFACTURING INDUSTRIES MISCELLANEOUS INDUSTRIAL PROCESSES Other Not Classified

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS		20674	5386464	
000630-08-0	CARBON MONOXIDE	28940		3771	
007439-92-1	LEAD	0.2		0.0224	
0NY210-00-0	OXIDES OF NITROGEN	34460		4489	
0NY075-00-5	PM-10	6981		3.5	
007446-09-5	SULFUR	206.8		26.93	

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	DIOXIDE		
ONY100-00-0	TOTAL HAP	650.6	84.75
ONY998-00-0	VOC	162320	62077

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item B: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)

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

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

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

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

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

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

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

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

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

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

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

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

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

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iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

Item K: Permit Exclusion - ECL 19-0305

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

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

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

(1) An emergency occurred and that the facility owner or

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

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

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item_02

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

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and 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.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description

FACILITY	ECL 19-0301	32	Powers and Duties of the Department with respect to air
FACILITY	40CFR 64	28	pollution control
FACILITY	40CFR 68	18	COMPLIANCE ASSURANCE
FACILITY	40CFR 82-F	19	MONITORING
FACILITY	6NYCRR 200.6	1	Chemical accident prevention provisions
FACILITY			Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY			Acceptable ambient

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FACILITY	6NYCRR 200.7	9, 20	air quality. Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	33	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	10	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	11	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	12, 13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	21, 29, 30	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	22	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f)	23	Operational Flexibility
FACILITY	6NYCRR 201-6.5 (a)	34	State Enforceable Requirements
FACILITY	6NYCRR 202-1.1	17	Required emissions tests.
FACILITY	6NYCRR 202-2.4 (a) (3)	24	Emission statement methods and procedures
FACILITY	6NYCRR 202-2.5	7	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.2	25	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212-1.7 (b)	26	Sampling and Monitoring
FACILITY	6NYCRR 212-3.1 (c) (4) (i)	27	RACT compliance plan control limits for Capture and Control
U-SILO1	6NYCRR 212-3.1 (c) (4) (i)	31	RACT compliance plan control limits for Capture and Control
FACILITY	6NYCRR 215.2	8	Open Fires - Prohibitions

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Applicability Discussion:

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to 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.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as

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listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (4)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 202-1.1

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This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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.

40 CFR Part 68

This Part lists the regulated substances and their applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, GENPAK LLC MIDDLETOWN MAIN PLANT has been determined to be subject to the following regulations:

40 CFR Part 64

The federal Compliance Assurance Monitoring (CAM) rule, 40 CFR 64, requires the monitoring of control device, capture system, and/or process parameters to provide a reasonable assurance of compliance with emission limitations or standards. It applies to emission units that use a control device to comply with certain standards and limitations and that have potential pre-control device emissions equal to or greater than a major source threshold.

6 NYCRR 201-6.4 (f)

Each Title V permit contains a provision that states that no permit modifications will be required, under any approved emissions trading, economic incentives, marketable permits, or other similar programs or processes for changes that are provided for in the permit.

6 NYCRR 201-6.5 (a)

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This section identifies state enforceable requirements for Title V permits.

6 NYCRR 202-2.4 (a) (3)

Once a facility is required to submit annual emission statements electronically, emission statements must be submitted to the department per the specified schedule, in this regulation beginning the reporting year that a Title V permit containing a condition mandating electronic submittal is issued.

6 NYCRR 212-1.7 (b)

This provision is to provide the monitoring parameter detail for facility owners and/or operators of any emission source equipped with either a thermal or catalytic oxidizer, fixed bed carbon absorption unit or refrigerated condenser.

6 NYCRR 212-3.1 (c) (4) (i)

This provision states that owners and/or operators of emission points subject to Part 212-3 operating prior to October 20, 1994 must submit a compliance plan to the department. The compliance plan must demonstrate that the VOC emission points are equipped with a capture system and a control device with an overall removal efficiency of at least 81 percent.

Compliance Certification

Summary of monitoring activities at GENPAK LLC MIDDLETOWN MAIN PLANT:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

FACILITY	28	record keeping/maintenance procedures
FACILITY	20	record keeping/maintenance procedures
FACILITY	13	monitoring of process or control device parameters as surrogate
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	27	intermittent emission testing

Basis for Monitoring

The following permit conditions with applicable requirements explain the basis for monitoring in the permit:

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Condition 13 - 6NYCRR 201-3.2(a)

Pursuant to Part 201-3.2(c)(36), presses used exclusively for molding or extruding plastics except where halogenated polymers are used or where halogenated carbon compounds or hydrocarbon solvents are used as foaming agents are exempt from permitting.

Genpak also operates various natural gas-fired heaters and air make up units. All units are below 10 MMBtu/hr and burn natural gas as fuel, and thus are exempt as per 6 NYCRR 201-3.2(c)(1).

Condition 14 - 6NYCRR 201-3.2(a)

For three of the thermoformers, pursuant to Part 201-3.2(c)(13), printing processes at facilities located outside the New York City metro area and outside lower Orange County are exempt from air permitting, if VOC emissions from the printing process is less than 3.0 tons per year. Part 201-3.2(a) requires records to be kept, in order to demonstrate compliance with the criteria in any of the permit exemptions. Potential VOC emissions were calculated and submitted, and shown to be less than 3.0 tons per year. A record of these calculations and emissions must be kept by the facility, and must be recalculated if there is a change in the materials used.

Condition 21 - 6NYCRR 200.7

Filters for the storage silos shall be inspected annually and replaced as necessary, in order to maintain the filters, as emission control devices, in good condition.

Condition 27 - 6NYCRR 212-1.7(b)

In accordance with this section of Part 212, the Department can require monitoring of any parameter associated with the specified emission control devices, including thermal oxidizers. Continuous monitoring and recording of said parameter is required by rule. The combustion temperature in the chamber of the thermal oxidizer will be monitored, because this temperature directly correlates to oxidizer performance. If a minimum temperature of 1100 degrees Fahrenheit is established, a VOC destruction efficiency of above 83% is expected, based on emission testing performed in early 2023. This temperature limit must be met on a 15 minute averaging time, rather than instantaneously, to allow for equipment problems which may cause temporary temperature fluctuations.

Condition 28 - 40 CFR 64

Quality assurance and control practices must be developed and followed by the facility, in order to assure proper operation of an emission control device and to obtain valid data of the monitored parameter.

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Condition 29 - 6NYCRR 212-3.1(c)(4)(i)

For emission points equipped with a capture and control system which achieves an overall VOC reduction of at least 81 percent, the reasonably available control technology (RACT) requirement shall be met. VOC RACT applies to emission points with a VOC emission rate potential of 3.0 pounds per hour or more. VOC emissions from the two repelletizers and Silos 3 and 13 are more than 3.0 pounds per hour, and therefore, VOC RACT applies to these emission sources. Potential VOC emissions from the other storage silos and the roll storage blowers are each less than 3.0 pounds per hour, and therefore, VOC RACT does not apply. A VOC emission capture system shall be utilized for the two repelletizers and Silos 3 and 13, and emissions are ducted to a thermal oxidizer. Weekly inspections of the capture system will be conducted as part of routine maintenance at the facility, in order to ensure adequate VOC capture efficiency.