Division of Air Resources

Permit Review Report

Permit ID: 4-1228-00027/00015
Renewal Number: 4
09/23/2022

Facility Identification Data
Name: FCINA - DELHI
Address: 40196 ST HWY 10
DELHI, NY 13753

Owner/Firm
Name: Friesland Campina Ingredients North America Inc
Address: 40196 St Hwy 10
Delhi, NY 13753, USA
Owner Classification: Corporation/Partnership

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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
This project consists of the renewal of the facility's Title V permit. This renewal also includes three significant modifications to the permit. The significant modifications include (1) the addition of Emission Unit 2-WWPTP, including the addition of a regenerative thermal oxidizer (Control Device RTOX2) to control VOC emissions from the Wastewater Pre-treatment Plant, (2) modification of Emission Unit 1-

TANKS to reduce the “3-hour waiting period” for start-up of the RTO, and (3) defining equipment that can continue to operate in the event of an unplanned/emergency shutdown of RTO #1 or RTO #2.

Attainment Status
FCINA - DELHI is located in the town of DELHI in the county of DELAWARE.
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*	TRANSPORT REGION (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:
FrieslandCampina Ingredients North America (FCINA) manufactures hydrolyzed proteins used for food and medical purposes. Significant air emission sources at the facility include: one 16.7 MMBtu/hr boiler, one 29.3 MMBtu/hr boiler, one spray tower dryer, one "V-bottom" dryer, the wastewater pretreatment plant, and several process reactors and digesters.

Permit Structure and Description of Operations
The Title V permit for FCINA - DELHI
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 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.

FCINA - DELHI is defined by the following emission unit(s):

Emission unit 1BOILR - This emission unit consists of two boilers used to provide building heat and process steam. The boilers burn natural gas and No. 2 fuel oil during periods of natural gas curtailment. Boilers No. 1 and No. 2 vent to a common exhaust.

Emission unit 1BOILR is associated with the following emission points (EP):
10001
Process: GAS is located at Ground Floor, Building 1 - This process consists of boiler No. 1 and No. 2 firing natural gas.

Process: OIL is located at Gorund Floor, Building 1 - This process consists of boiler No. 1 and No. 2 firing No. 2 fuel oil during periods of natural gas curtailment.

Emission unit 1DRYER - This emission unit consists of a spray tower dryer, V-Bottom dryer, packaging operations associated with the spray tower dryer, and room emissions from the Rogers Evaporator Room. The dryers are used to dry protein powders.

Emission unit 1DRYER is associated with the following emission points (EP):
10003, 10004, 10010, 10095
Process: 003 is located at GROUND FLOOR, Building 1 - This process consists of a steam heated vertical spray tower dryer used to dry hydrolyzed protein powder (product), packaging operations associated with the spray tower dryer, and room emissions from the Rogers Evaporator Room.

Particulate emissions from the tower dryer are controlled by a wet scrubber (SCRB1) and are exhausted to Emission Point 10003. Particulate emissions from the packaging operations are controlled by a dedicated fabric filter (TRBH1) and are exhausted to Emission Point 10095.

Emissions from the Rogers Evaporator Room are exhausted to Emission Point 10010.

Process: 004 is located at GROUND FLOOR, Building 1 - This process consists of a liquid propane gas fired (direct fired) horizontal dryer used to dry hydrolyzed protein powder (product). Particulate emissions are controlled by a fabric filter (BAG01) and are exhausted through Emission Point 10004.

Emission unit 1ENZYM - This emission unit consists of all enzyme processing operations (“weigh out” and loading operations), a finished product dry blender and associated packaging operations, and packaging operations associated with the V-bottom dryer.

Emission unit 1ENZYM is associated with the following emission points (EP):
10093
Process: 012 is located at Building 1 - This process consists of an enzyme weigh out and loading process that is exhausted to a wet scrubber. Emissions are exhausted through Emission Point 10093.

Process: 013 is located at Building 1 - This process includes one covered mix tank where dry finished

products are mixed (no water addition) and finished product packaging operations. In addition, it includes packaging operations associated with the V-bottom dryer. Emissions exhaust through a wet scrubber and Emission Point 10093.

Emission unit 1TANKS - This emission unit consists of digesters, process holding tanks, mixing vessels, balance tanks, a glass lined reactor, wet blend operations, miscellaneous equipment, and a wastewater system collection pit. Emission control devices include a venturi scrubber, wet scrubber, and regenerative thermal oxidizer (RTO #1).

Emission unit 1TANKS is associated with the following emission points (EP):
10006, 10098, 10099
Process: 014 is located at Building 1 - This process consists of a Norman Blender, wet blend operations, and a glass-lined reactor. Emissions from these sources (which consist of particulates and acids) are directed to the building scrubber system (control devices VENTR and SCRB2 in series), after which they are directed to RTO #1 and emitted exhausted via Emission Point 10099.

Operation of the RTO is not required for these emission sources. In the event of an unplanned shutdown of RTO #1, the building scrubber system (control devices VENTR and SCRB2 in series) will continue to operate. Since the emission sources identified in this process do not emit VOCs, the equipment in this process may continue to operate until the RTO is brought back online. Emissions from this equipment will continue to be directed to the building scrubber system (control devices VENTR and SCRB2 in series), however will be temporarily vented to Emission Point 10006.

Process: 015 is located at Building 1 - This process reflects the operation of digesters, process holding tanks, mix vessels, miscellaneous equipment and the wastewater collection system pit (WWPIT). Emissions from these sources may consist of VOCs, particulates, and acids.

Excluding the wastewater collection pit, all emission sources are vented to the building scrubber system (control devices VENTR and SCRB2 in series), after which they are directed to RTO #1 and emitted via Emission Point 10099.

RTO #1 must be used to control VOC emissions and satisfy the VOC RACT requirements of 6 NYCRR Part 212-3.1(c)(4)(i). The facility has committed to operate RTO #1 at all times, even if the raw materials used in the manufacturing campaign do not include VOCs.

In the event of an unplanned shutdown of RTO #1, emissions from the WWPIT will be temporarily vented via Emission Point 10098, while emissions from all other sources in this process will be vented to Emission Point 10006. During the outage, the building scrubber system (control devices VENTR and SCRB2 in series) will continue to operate. Actions will be taken to bring the equipment in this process to a "safe state" such that emissions are minimized to the extent possible.

Emission unit 2WWPTP - This emission unit consists of wastewater pre-treatment operations including Equalization Tank #1, Calamity Tank, Buffer Tank, two wastewater pre-treatment trains, and other fugitive emissions. VOC emissions from the Equalization Tank, Calamity Tank, and Buffer Tank will be controlled by a regenerative thermal oxidizer (RTO #2).

Emission unit 2WWPTP is associated with the following emission points (EP):
20098, 20099
Process: 201 is located at Building OUTDR - This process reflects the operation of the Flow Equalization System, which consists of Equalization Tank #1, Calamity Tank, and Buffer Tank.

To satisfy the VOC RACT requirements of 6 NYCRR Part 212-3.1(c)(4)(i), RTO #2 must be used to control VOC emissions from these emission sources. The facility has committed to operate RTO #2 at all times, even if the raw materials used in the manufacturing campaign do not include VOCs.

Emissions from this equipment are captured and directed to RTO #2 before being emitted via Emission Point 20099.

Process: 202 is located at Building OUTDR - This process reflects the operation of Treatment Train #1 and Treatment Train #2 at the wastewater pre-treatment plant. Emissions of VOCs from these operations are less than 3 pounds per hour and 15 pounds per day and are therefore not subject to the VOC RACT requirements of 6 NYCRR Section 212-3.

Title V/Major Source Status
FCINA - DELHI is subject to Title V requirements. This determination is based on the following information:
FCINA Inc. is a major source of volatile organic compounds, hazardous air pollutants (toluene), and particulate matter. In each case, the facility's potential to emit exceeds the corresponding major source threshold.

Program Applicability
The following chart summarizes the applicability of FCINA - DELHI with regards to the principal air pollution
regulatory programs:

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

NOTES:
PSD Prevention of Significant Deterioration (40 CFR 52, 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.

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 out of compliance with specIFic requirements (see attached compliance schedule).

Compliance Schedule:

Location Facility/EU/EP/Process/ES	Regulation	Short Description
FACILITY	6 NYCRR 212-3.1 (c) (4) (i)	RACT compliance plan control limits for Capture and Control

comp_loc

Compliance Discussion

FCINA - DELHI is in violations of the following requirement(s):
The onsite wastewater pretreatment plant (WWPTP) operated by FCINA is not currently in compliance with the Reasonably Achievable Control Technology for Volatile Organic Compounds (VOC RACT) requirements of 6 NYCRR Subpart 212-3. Emissions of toluene, which is both a volatile organic compound (VOC) and hazardous air pollutant (HAP), from the WWPTP exceed the 3 pounds per hour VOC RACT applicability threshold during certain process operations at the facility. Further, the facility's potential to emit toluene exceeds the major facility threshold for both VOC and HAP. Accordingly, the WWPTP is subject to the requirements of VOC RACT.

To date, FCINA has not addressed the applicability of VOC RACT to its WWPTP and has not currently implemented RACT. To address the resulting noncompliance, this permit contains a schedule of compliance requiring FCINA to take the necessary steps to construct, test, operate, and maintain VOC RACT controls for the WWPTP following permit issuance. VOC RACT controls have been identified as a Regenerative Thermal Oxidizer (RTO) and the installation of covers on the facility's existing WWPTP tanks. In addition, FCINA is required to achieve a destruction efficiency of at least 95% in the RTO instead of the 81% required by 6 NYCRR Section 212-3. Finally, FCINA is required to continuously monitor the operating temperature of the RTO and maintain records necessary to demonstrate continuous compliance.

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

SIC Code	Description
2023	CONDENSED AND EVAPORATED MILK

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
1-02-005-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - DISTILLATE OIL Grades 1 and 2 Oil

1-02-006-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS 10-100 MMBtu/Hr
3-99-999-89	MISCELLANEOUS MANUFACTURING INDUSTRIES MISCELLANEOUS INDUSTRIAL PROCESSES OTHER NOT CLASSIFIED
3-99-999-94	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
000075-07-0	ACETALDEHYDE	480			
000071-43-2	BENZENE	180			
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS		43000	23400000	
000630-08-0	CARBON MONOXIDE		22	16000	
000050-00-0	FORMALDEHYDE		0.26		
000110-54-3	HEXANE		0.42		
007647-01-0	HYDROGEN CHLORIDE	116		24	
007439-92-1	LEAD		0.0013	0.094	
0NY210-00-0	OXIDES OF NITROGEN		41	11000	
0NY075-00-0	PARTICULATES		105	16200	
0NY075-02-5	PM 2.5		110	16000	
0NY075-00-5	PM-10		110	16000	
009014-01-1	SUBTILISIN		3.7	0.00047	
007446-09-5	SULFUR DIOXIDE		0.69	120	
000108-88-3	TOLUENE		41	58000	
0NY100-00-0	TOTAL HAP		42	58000	
0NY998-00-0	VOC		46	59000	

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)**
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 2 01-6.7 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.

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 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	68	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A	50	General provisions
FACILITY	40CFR 60-Dc.48c(d)	51	Reporting and Recordkeeping Requirements.
FACILITY	40CFR 60-Dc.48c(e)	52	Reporting and Recordkeeping Requirements.
FACILITY	40CFR 60-Dc.48c(f)(1)	53	Reporting and Recordkeeping Requirements (distillate oil).
FACILITY	40CFR 60-Dc.48c(g)	54	Reporting and Recordkeeping Requirements.
FACILITY	40CFR 60-Dc.48c(i)	55	Reporting and Recordkeeping

			Requirements.
FACILITY	40CFR 63-A	56	Subpart A - General Provisions apply to all NESHAP affected sources
FACILITY	40CFR 63-DDDDD.7500(a)(	57	ICI Boiler Major Source NESHAP - Good Air Pollution Control Practices
FACILITY	40CFR 63-DDDDD.7540(a)(	58, 59	ICI Boiler Major Source NESHAP - Tune-up Requirements
FACILITY	40CFR 63-DDDDD.7545(a)	60	ICI Boiler Major Source NESHAP - Notifications
FACILITY	40CFR 63-DDDDD.7545(f)	61	ICI Boiler Major Source NESHAP - Use of Alternative Fuel Notification
FACILITY	40CFR 63-DDDDD.7545(h)	62	ICI Boiler Major Source NESHAP - Fuel Switching Notification
FACILITY	40CFR 63-DDDDD.7550	63	ICI Boiler Major Source NESHAP - Reporting Requirements
FACILITY	40CFR 63-DDDDD.7555(a)	64	ICI Boiler Major Source NESHAP - Recordkeeping
FACILITY	40CFR 63-DDDDD.7555(h)	65	ICI Boiler Major Source NESHAP - Alternative Fuel Recordkeeping
FACILITY	40CFR 68	17	Chemical accident prevention provisions
FACILITY	40CFR 82-F	18	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	9	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	69	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	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3(a)	13	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	19, 66, 67	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(4)	14	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(7)	2	General Conditions - Fees

FACILITY	6NYCRR 201-6.4(a)(8)	15	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)	20	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4(e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4(f)	21	Operational Flexibility
FACILITY	6NYCRR 201-6.4(f)(2)	22	Operational Flexibility - Protocol
FACILITY	6NYCRR 202-1.1	16	Required emissions tests.
FACILITY	6NYCRR 202-2.4(a)(3)	23	Emission statement methods and procedures
FACILITY	6NYCRR 202-2.5	7	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.2	24	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212-1.6(a)	25	Limiting of Opacity
FACILITY	6NYCRR 212-1.7(b)(1)	26	Th exhaust gas temperature from thermal or catalytic oxidizer
FACILITY	6NYCRR 212-2.3(b)	27	State Air Program Non-Criteria air contaminants subject Table 4
FACILITY	6NYCRR 212-2.4(b)	28, 29, 30, 31	Control of Particulate from New and Modified Process Emission Sources
FACILITY	6NYCRR 212-3.1(c)(4)(i)	32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42	RACT compliance plan control limits for Capture and Control
FACILITY	6NYCRR 215.2	8	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2(d)	43	Sulfur-in-Fuel Limitation - Distillate Oil
FACILITY	6NYCRR 225-1.6(f)	44	Excess Emission Reports
FACILITY	6NYCRR 226-1	45	Solvent Cleaning Processes
FACILITY	6NYCRR 227-1.3(c)	46	Annual Tune-up Requirement
FACILITY	6NYCRR 227-1.4(a)	47	Opacity Standard
FACILITY	6NYCRR 231-11.2(b)	48	Reasonable Possibility requirements for insignificant mods - less than 50% with

FACILITY	6NYCRR 231-11.2(c)	49	excluded emissions Reasonable Possibility requirements for insignificant mods - greater than 50% with excluded emissions

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 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
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 there 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, FCINA - DELHI has been determined to be subject to the following regulations:
40 CFR 60.48c (d)
This regulation requires the owner or operator of the facility subject to the SO_2 emission limits, fuel oil sulfur limits, or percent reduction requiremnts under §60.42c, to submit semi-annual reports to the EPA

40 CFR 60.48c (e)
This citation states the recordkeeping requirements related to emissions of sulfur dioxide.

40 CFR 60.48c (f) (1)
Fuel supplier certifications for distillate oil shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specification under the definition of distillate oil in 40 CFR 60-Dc.41c

40 CFR 60.48c (g)
The owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each day.

40 CFR 60.48c (i)
This regulation requires the source owner or operator to retain all records for a minimum of two years for compliance with the NSPS. This does not supercede any requirement that is more stringent, including the Title V requirement to maintain records for for a minimum of 5 years.

40 CFR 63.7500 (a) (3)
This condition states that the owner or operator must operate and maintain the affected source consistent with good air control practices

40 CFR 63.7540 (a) (12)
This citation specifies the tune-up requirements for boilers equipped with continuous oxygen trim systems that maintain optimum air to fuel ratios and that are subject to the requirements of 40 CFR 63 Subpart DDDDD.

40 CFR 63.7545 (a)
This section outlines the notification requirements for owners and operators of boilers and process heaters subject to the requirements of 40 CFR 63 Subpart DDDDD.

40 CFR 63.7545 (f)
This condition states the notification requirements for owners and operators that plan to switch from gas 1 category fuels to another fuel

40 CFR 63.7545 (h)
This condition states the notification requirements for owners and operators intending to switch fuel subcategories

40 CFR 63.7550
This section specifies the reporting requirements for owners and operators of facilities with boilers and

process heaters subject to the requirements of 40 CFR 63 Subpart DDDDD.

40 CFR 63.7555 (a)
This condition states what records must be kept

40 CFR 63.7555 (h)
This condition states the recordkeeping requirements for alternative fuels burned at units designed to burn natural gas, refinery gas, or other gas 1 fuel

40 CFR Part 60, Subpart A
This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40 CFR Part 63, Subpart A
The General Provisions in 40 CFR 63, Subpart A apply to facilities subject to other National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP) regulations in 40 CFR 63. These rules are also known as MACT rules since they are based on attaining Maximum Achievable Control Technology. Each MACT rule has a table or section that descibe which portions of the General Provisions apply to facilities covered by that particular rule and which portions are overridden or do not apply. Note that NESHAP regulations found in 40 CFR 61 do **not** trigger the general provisions of 40 CFR 63.

6 NYCRR 201-6.4 (f)
This section describes the potential for certain operational changes to be made by the facility owner or operator without first obtaining a permit modification. Changes made pursuant to this provision must meet all of the criteria described in this section to qualify for consideration as operational flexibility. The Department reserves the right to require the facility owner or operator to obtain a permit modification prior to making any changes at the facility pursuant to this section.

6 NYCRR 201-6.4 (f) (2)
This section describes the requirements for operational flexibility protocols included in Title V permits. The facility owner or operator may make certain changes to the facility that have been reviewed and approved pursuant to the protocol without first obtaining a permit modification for those changes.

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 212-1.6 (a)
This provisions requires that the facility owner or operator not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water.

6 NYCRR 212-1.7 (b) (1)
This paragraph requires the source owner to monitor the exhaust gas temperature of the thermal oxidizer to demonstrate on-going compliance.

6 NYCRR 212-2.3 (b)
Table 4 of 212-2.3 describes the reduction in emissions required for a non-criteria air contaminant based on its uncontrolled emission rate. The uncontrolled emission rate in conjunction with the assigned environmental rating determines the degree of controlled applied.

6 NYCRR 212-2.4 (b)
Particulate emissions from any process emission source, which received a B or C Environmental Rating, and for which an application was received by the department after July 1, 1973 are restricted to 0.050 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

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.

6 NYCRR 225-1.2 (d)
This subdivision sets the sulfur-in-fuel limitation for distillate oil fired emission sources throughout the State.

6 NYCRR 225-1.6 (f)
This subdivision requires the submission of excess emission reports when the the sulfur-in-fuel limitation,

equivalent emission rate, or measured emissions exceeds the allowable standard.

6 NYCRR 227-1.3 (c)
This subdivision requires that all stationary combustion installations subject to this subpart perform an annual tune-up.

6 NYCRR 227-1.4 (a)
This subdivisions sets the opacity standard for subject stationary combustion installations.

6 NYCRR 231-11.2 (b)
This subdivision is referred to as the "Reasonable Possibility" provisions. This citation lists the record keeping requirements for insignificant modifications that are less than 50% of the applicable significant project threshold including excluded emissions as defined in Part 231-4.1(b)(40)(i)(c).

6 NYCRR 231-11.2 (c)
This citation lists the record keeping requirements for insignificant modifications that are greater than 50% of the threshold including excluded emissions as defined in 231-4.1(b)(40)(i)(c) of this Part.

6 NYCRR Subpart 226-1
This regulation contains requirements for sources conducting solvent cleaning.

Compliance Certification
Summary of monitoring activities at FCINA - DELHI:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
FACILITY	51	record keeping/maintenance procedures
FACILITY	52	record keeping/maintenance procedures
FACILITY	53	record keeping/maintenance procedures
FACILITY	54	record keeping/maintenance procedures
FACILITY	55	record keeping/maintenance procedures
FACILITY	56	record keeping/maintenance procedures
FACILITY	58	record keeping/maintenance procedures
FACILITY	59	record keeping/maintenance procedures
FACILITY	63	record keeping/maintenance procedures

FACILITY	64	record keeping/maintenance procedures
FACILITY	65	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	22	record keeping/maintenance procedures
FACILITY	25	monitoring of process or control device parameters as surrogate
FACILITY	26	record keeping/maintenance procedures
FACILITY	27	monitoring of process or control device parameters as surrogate
FACILITY	28	monitoring of process or control device parameters as surrogate
FACILITY	29	record keeping/maintenance procedures
FACILITY	30	monitoring of process or control device parameters as surrogate
FACILITY	31	monitoring of process or control device parameters as surrogate
FACILITY	32	intermittent emission testing
FACILITY	33	record keeping/maintenance procedures
FACILITY	34	record keeping/maintenance procedures
FACILITY	35	record keeping/maintenance procedures
FACILITY	36	monitoring of process or control device parameters as surrogate
FACILITY	37	monitoring of process or control device parameters as surrogate
FACILITY	38	record keeping/maintenance procedures
FACILITY	39	record keeping/maintenance procedures
FACILITY	40	monitoring of process or control device parameters as surrogate
FACILITY	41	monitoring of process or control device parameters as surrogate
FACILITY	43	work practice involving specific operations
FACILITY	44	record keeping/maintenance procedures
FACILITY	45	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	47	record keeping/maintenance procedures
FACILITY	48	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures

Basis for Monitoring
VOC RACT

As a major source of volatile organic compound (VOC) emissions, FCINA is subject to the reasonably available control technology (RACT) requirements of 6 NYCRR Subpart 212-3. The facility has performed a VOC RACT analysis, and has developed the following control strategy to implement RACT:

Phase 1 RACT consists of the installation and operation of a regenerative thermal oxidizer (RTO) that is used to control emissions of toluene from various process sources during manufacturing campaigns using VOCs. These emissions primarily consist of toluene vapor from the facility's wastewater stream. The wastewater is directed to a covered collection pit (Emission Source WWPIT) which is ducted directly to RTO #1. The facility is required to continuously monitor and record the temperature within the RTO to demonstrate that it is operating in accordance with applicable requirements and the most recent performance test. Phase 1 RACT was installed in 2018.

As required by 6 NYCRR Section 212-3.1(c)(4)(i), the RTO must achieve an overall removal efficiency of at least 81% to be deemed acceptable as RACT. However, this permit requires that the facility achieve an overall removal efficiency of at least 95% due to a history of noncompliance with VOC RACT

requirements. Since the facility's processes are conducted in enclosed vessels and the wastewater collection pit is covered, the induced draft fan pulls all collected emissions to the RTO for destruction. Accordingly, the overall removal efficiency is equivalent to the destruction efficiency of the oxidizer. The facility will conduct performance tests once every five years to demonstrate compliance with this requirement.

Phase 2 RACT consists of the installation and operation of a second RTO to control VOC and toluene emissions from the facility's onsite wastewater pretreatment plant. To facilitate the collection of these emissions, the facility will also cover its existing wastewater collection tanks and install a buffer tank. The facility is required to continuously monitor and record the temperature within the RTO to demonstrate that it is operating in accordance with applicable requirements and the most recent performance test.

As required by 6 NYCRR Section 212-3.1(c)(4)(i), the RTO must achieve an overall removal efficiency of at least 81% to be deemed acceptable as RACT. However, this permit requires that the facility achieve an overall removal efficiency of at least 95% due to a history of noncompliance with VOC RACT requirements. Since the wastewater treatment tanks will be covered, the induced draft fan pulls all vapors to the RTO for destruction. Accordingly, the overall removal efficiency is equivalent to the destruction efficiency of the oxidizer. The facility will conduct performance tests once every five years to demonstrate compliance with this requirement.

FCINA is also required to document any malfunctions or other operating issues for both RTOs, and to document periods where either RTO is not used because the facility is not conducting a manufacturing campaign using VOCs. Finally, FCINA is required to operate and maintain each oxidizer and all associated equipment (covers, fans, etc.) in accordance with manufacturer's specifications and good engineering practice.

6 NYCRR Part 231

The installation of a second RTO (Phase 2 RACT) as discussed in the VOC RACT section above constitutes a modification as defined in 6 NYCRR 231-4. The facility has demonstrated that the project emission potential (PEP) of the modification for oxides of nitrogen (NOx), carbon monoxide (CO), sulfur dioxide (SO2), volatile organic compounds (VOC), particulates (PM, PM-10, and PM-2.5), and greenhouse gases is less than the applicable significant project threshold. Accordingly, the project is not subject to New Source Review. However, the facility must demonstrate compliance with the reasonable possibility requirements as described in 6 NYCRR 231-11.2.

40 CFR Part 64 – Compliance Assurance Monitoring (CAM)

The regenerative thermal oxidizers (RTO) are not subject to the CAM requirements of 40 CFR Part 64 because the facility's Title V permit contains conditions requiring the continuous monitoring of the RTO temperature. By monitoring the RTO temperature continuously, the facility is demonstrating that the RTO is operating properly and controlling emissions of VOC as required by this permit. Emission sources that are subject to continuous emissions monitoring limits are exempt from CAM as described at 40 CFR 64.2(b)(vi).

40 CFR 63 Subpart DDDDD

As a major source of hazardous air pollutants (HAP), FCINA is subject to the requirements of 40 CFR 63 Subpart DDDDD for its two primarily natural gas fired boilers. These requirements include recordkeeping and the periodic tune-up of the facility's boilers. In addition, the facility must notify the Department when Number 2 fuel oil is fired during periods of natural gas curtailment.

6 NYCRR Subpart 227-1

FCINA primarily fires natural gas in its boilers. However, the facility does occasionally fire number 2 fuel oil during periods of natural gas curtailment or supply interruption. Accordingly, the applicable portions of Subpart 227-1 are included in the permit for those periods.

6 NYCRR Subpart 225-1

FCINA primarily fires natural gas in its boilers. However, the facility does occasionally fire number 2 fuel oil during periods of natural gas curtailment or supply interruption. Accordingly, any fuel oil purchased and fired must meet the sulfur-in-fuel requirements specified in Subpart 225-1. FCINA must keep records demonstrating compliance with this requirement.

40 CFR 60 Subpart Dc

Boiler 2 (Emission Source BOIL2) was constructed in July 1999 and is subject to the requirements of 40 CFR 60 Subpart Dc. Accordingly, the applicable compliance and monitoring requirements are included in the permit.

6 NYCRR Part 212

FCINA is subject to Part 212 for several reasons. Several of the facility's emission sources emit particulate matter, which is limited to 0.05 grains per dry standard cubic foot of exhaust gas. To demonstrate compliance with this requirement, FCINA is required to perform daily checks of various control device operating parameters and take corrective action if they are found to be outside the normal operating range. In addition, FCINA is required to determine whether visible emissions are present from various exhaust stacks daily and take corrective action as necessary. Stack testing may be required at the discretion of the Department.

The enzyme weigh-out process conducted at this facility emits Subtilisin, which is listed as a high toxicity air contaminant. These emissions have been assigned an A-rating by the Department. FCINA has performed a modeling analysis demonstrating compliance with the short-term guideline concentration as required by Table 4 of 6 NYCRR 212-2.3(b) based on the operation of a wet scrubber. To demonstrate that the scrubber is properly operating, FCINA must monitor the scrubber outlet pressure daily and take corrective action if it is found to be outside specifications. An updated modeling analysis or stack test may be required at the discretion of the Department.

6 NYCRR Subpart 226-1

FCINA operates cold cleaning degreasers that are exempt from permitting requirements. However, this equipment is subject to the requirements of 6 NYCRR Subpart 226-1. Accordingly, a condition has been included in the permit summarizing the applicable requirements.

6 NYCRR Subpart 226-2

FCINA is not currently subject to the requirements of Subpart 226-2 because the facility's annual actual use of VOC containing cleaning materials is less than 3 tons per year. Accordingly, VOC emissions from the use of these products cannot exceed the 3 ton/year applicability threshold.