

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

Facility Identification Data

Name: BALL METAL BEVERAGE CONTAINER CORP

Address: 11 ADAMS RD|Cady Hill Industrial Park
Saratoga Springs, NY 12866

Owner/Firm

Name: BALL CORPORATION

Address: 9300 WEST 108TH CIRCLE
WESTMINSTER, CO 80021-3682, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: BETH A MAGEE

Address: NYSDEC - WARRENSBURG SUBOFFICE
232 GOLF COURSE RD
WARRENSBURG, NY 12885-1172
Phone:5186231281

Division of Air Resources:

Name: RACHEL SAVARIE

Address: NYSDEC - REGION 5 (SUB-OFFICE)
232 GOLF COURSE RD
WARRENSBURG, NY 12885
Phone:5186231200

Air Permitting Contact:

Name: Cinthya Saldana

Address: Plant Manager / Ball Metal Beverage Container Corp.
11 Adams Rd
Saratoga Springs, NY 12866
Phone:4194298271

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 a minor modification to the facility's Title V permit incorporating the replacement of their Regenerative Thermal Oxidizer (RTO).

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

Attainment Status

BALL METAL BEVERAGE CONTAINER CORP is located in the town of SARATOGA SPRINGS in the county of SARATOGA.

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*	MARGINAL 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:

The facility is a four-line can plant that forms, cleans, decorates and coats 2-pieces aluminum cans.

Permit Structure and Description of Operations

The Title V permit for BALL METAL BEVERAGE CONTAINER CORP 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.

BALL METAL BEVERAGE CONTAINER CORP is defined by the following emission unit(s):

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

Emission unit U10001 - This emission unit consists of:

- (1) the basecoat/clearcoat application and curing line,
- (2) printing ink, bottom coat, and overvarnish. Application and curing lines 1, 2, 3, 4
- (3) 3 internal coat ovens
- (4) internal coat overspray baghouse,
- (5) the incinerator lines for 1, 2, 3, 4 internal coat lines, printing ink/overvarnish/bottom coat line 1, 2, 3, 4.
- (6) Room ventilation of uncaptured coating emissions. The emission points associated with this unit are RVENT, MIST1, and MIST2.
- (7) Mechanical vents/dampers will only be open to the atmosphere during the initial start-up purge cycle of the oven itself (without coating present). The emission points associated with this unit are BCOE1, DECO1, DECO2, DECO3, DECO4, ICOE1, ICOE3, and ICOE4.
- (8) This emissions unit also contains two exempt emergency generators. One(1) diesel Milton CAT 250 hp and one(1) natural gas 225 hp Winco 35000 .

Emission unit U10001 is associated with the following emission points (EP):

BCOE1, DECO1, DECO2, DECO3, DECO4, ICOE1, ICOE3, ICOE4, INCBY, MIST1, MIST2, RVENT
Process: 101 is located at Building BDG1 - White basecoat is applied to the can exterior when needed to provide a base color for further printing. The cans are then conveyed to the basecoater oven to dry the white basecoat. This process is comprised of basecoat and bottom rim coat application and curing line 1. Basecoater presently installed on Line 1 can produce basecoated cans from any of the existing four lines with final decoration completed on the respective lines. The emission point associated with this process is INCBY.

Process: 102 is located at Building BDG1 - Labels are printed on the can exteriors, covered with an overvarnish and bottom rim coat, and then cured. This process is comprised of printing inks, overvarnish, bottom rim coat application, and curing lines 1, 2, 3, 4 application & curing. The emission point associated with this process is INCBY.

Process: 103 is located at Building BDG1 - A thin film of lacquer is applied to inside of the can and a dot matrix is applied to the outside bottom dome. This process is comprised of the four internal coat and can transfer emission lines which are vented to a baghouse and RTO. Lines 1 and 2 each have 6 spray machines which comprise sources ICOS1 (12 spray systems total) for the application of internal spray lacquer and 6 each for the application of a dot matrix spray can identification system source DOT01 (12 dot matrix systems total). Lines 3 and 4 each have 7 spray machines that comprise sources ICOS3 and ICOS4, respectively (14 spray systems total) and 7 each for the application of a dot matrix spray can identification system source DOT01 (14 dot matrix systems total). Mist emissions from these four lines are not cured during application (transfer emissions) and vented through a baghouse at emission points MIST1 and MIST2. Emission points for this process are the RTO/bypass line INCBY, and baghouse emission points MIST1 and MIST2.

Process: 106 is located at Building BDG1 - The process of starting an oven requires the venting/purging

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

of the physical chamber of the oven to prevent any build-up or storage of flammable vapors that would result in an explosive environment when the spark or ignition source is activated to light the burner. The natural gas is then regulated to the burner to achieve the required air temperature to properly cure the cans. During this start-up process, no cans are introduced into the oven. The venting/purging process occurs for 5 minutes prior to igniting the burner. Once the oven reaches the set point temperature, the directional damper on the roof (56-ft stack) closes to the atmosphere while a second damper simultaneously opens to direct air flow to the RTO (T-damper). After this switch occurs, cans/product is allowed to enter the oven to be processed/cured.

Process: 107 The process of shutting down an oven involves allowing all the cans to exit the oven, allowing the oven to continue to vent to the RTO for a minimum of 2 minutes, then stopping the gas flow to the burner. When the gas flow stops flowing to the burner, the T-damper vent (56-ft stack) will change positions, open to the atmosphere and hot air will be vented to cool the oven down before the exhaust blower is finally turned off completing the shutdown process. Directing this cool down air to the RTO will waste natural gas as the incinerator will attempt to maintain temperature with this non-solvent/fuel containing, cooler air.

Process: 201 is located at Building BDG1 - Overvarnish curing line 4 exhausted through the incinerator.

Process: 202 is located at Building BDG1 - Emissions from line 4 printing inks exhausted through the incinerator.

Process: 203 is located at Building BDG1 - Emissions from line 4 bottom coating operation is exhausted through the incinerator.

Process: 204 is located at Building BDG1 - Emissions from lines 1, 2, 3 & 4 internal coating operations are exhausted through the incinerator.

Emission unit U10002 - This emission unit consists of the sludge dryer exhaust. The emission point is SDEO1.

Emission unit U10002 is associated with the following emission points (EP):
SDEO1

Process: 104 is located at Building BDG1 - Sludge dryer exhaust.

Process: 109 is located at Building BDG1 - Emissions from coolants and lubricating systems. These are trivial sources.

Title V/Major Source Status

BALL METAL BEVERAGE CONTAINER CORP is subject to Title V requirements. This determination is based on the following information:

Ball Metal Beverage Container Corp. is subject to Title V requirements. This facility is only major for emissions of VOC with its potential to emit limited to \leq 386 tons per year.

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

Program Applicability

The following chart summarizes the applicability of BALL METAL BEVERAGE CONTAINER CORP 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)	YES
NSPS	YES
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.

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

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

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

SIC Code

Description

3411

METAL CANS

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

3-09-030-07

FABRICATED METAL PRODUCTS
FABRICATED METAL PRODUCTS - MACHINING

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

3-99-006-01	OPERATIONS FABRICATED METALS-MACHINE OPERATIONS- LUBRICATION-SPECIFY MATERIAL MISCELLANEOUS MANUFACTURING INDUSTRIES PROCESS HEATER/FURNACE
4-02-004-01	PROCESS HEATER/FURNACE - NATURAL GAS SURFACE COATING OPERATIONS SURFACE COATING APPLICATION - GENERAL Lacquer
4-02-008-01	SURFACE COATING OPERATIONS COATING OVEN - GENERAL General
4-02-017-99	SURFACE COATING OPERATIONS SURFACE COATING OPERATIONS - METAL CAN COATING Other Not Classified
4-02-888-21	SURFACE COATING OPERATIONS SURFACE COATING OPERATIONS - FUGITIVE EMISSIONS
4-02-900-13	SURFACE COATING BASECOAT SURFACE COATING OPERATIONS SURFACE COATING OPERATIONS - FUEL FIRED EQUIPMENT NATURAL GAS: INCINERATOR/AFTERBURNER

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
000106-99-0	1,3-BUTADIENE	0.01169		0.0008246	
000083-32-9	ACENAPHTHENE	0.00004242		2.99E-6	
000075-07-0	ACETALDEHYDE	0.2293		0.0162	
000107-02-8	ACROLEIN	0.0277		0.0019508	
000120-12-7	ANTHRACENE	0.0000559		3.94E-6	
000071-43-2	BENZENE	227.5		227.2	
000050-32-8	BENZO (A) PYREN E	0.0000562		3.96E-6	
000205-99-2	BENZO [B] FLUOR ANTHENE	3.02E-6		2.1E-7	
000191-24-2	BENZO [G, H, I] P ERYLENE	0.00001459		1.02E-6	

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

000207-08-9	BENZO [K] FLUOR ANTHENE	0.00004634	3.3E-6
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS	476634	6756744
000630-08-0	CARBON MONOXIDE	11433	12272
000218-01-9	CHRYSENE	0.000106	7.45E-6
000053-70-3	DIBENZ [A, H] ANTHRACENE	0.0001743	0.0000123
000112-34-5	ETHANOL, 2-(2-BUTOXYETHOXY)	12702	61.5
000112-25-4	ETHANOL, 2-(HEXYLOXY)	27068.4	3921
000100-41-4	ETHYLBENZENE	613	22
000206-44-0	FLUORANTHENE	0.002275	0.0001605
000086-73-7	FLUORENE	0.00087306	0.00006159
000050-00-0	FORMALDEHYDE	19000	
000193-39-5	INDENO [1, 2, 3-CD] PYRENE	0.00001211	7.9E-7
007439-92-1	LEAD	0.0714	0.068
007439-97-6	MERCURY	9.029E-6	6.4E-7
000091-20-3	NAPHTHALENE	0.0253527	0.0017884
0NY210-00-0	OXIDES OF NITROGEN	15589.5	13679
0NY075-00-0	PARTICULATES	12953	1098.1
0NY075-00-5	PM-10	1497.3	1199.1
0NY075-02-5	PM-2.5	12706.3	896.325
000115-07-1	PROPYLENE	0.77134505	0.0544122
000129-00-0	PYRENE	0.0001429	0.00001008
007446-09-5	SULFUR DIOXIDE	172.33	87.634
000108-88-3	TOLUENE	0.12228	0.0086258
0NY100-00-0	TOTAL HAP	48000	
0NY998-00-0	VOC	772000	
001330-20-7	XYLENE, M, O & P MIXT.	3767	108

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.

Division of Air Resources
Permit Review Report

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

- 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

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

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.
- 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

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

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

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

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	69	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A	47	General provisions
FACILITY	40CFR 60-IIII	48, 49	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
U-10001/-/101	40CFR 60-WW.492 (a)	66	Beverage Can Surface Coating - standards for VOC
U-10001/-/102	40CFR 60-WW.492 (b)	67	Beverage Can Surface Coating - standards for VOC
U-10001/-/103	40CFR 60-WW.492 (c)	68	Beverage Can Surface Coating - standards for VOC
U-10001	40CFR 60-WW.493 (b) (1)	62	Beverage Can Surface Coating - performance test and compliance provisions
U-10001	40CFR 60-WW.495 (a) (1)	63	Beverage Can Surface Coating - reporting and recordkeeping requirements
U-10001	40CFR 60-WW.495 (b)	64	Beverage Can Surface Coating - reporting and recordkeeping requirements
U-10001	40CFR 60-WW.495 (d)	65	Beverage Can Surface Coating - reporting and recordkeeping requirements
FACILITY	40CFR 63-ZZZZ	50, 51	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 68	19	Chemical accident prevention provisions
FACILITY	40CFR 82-F	20	Protection of

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

FACILITY	6NYCRR 200.6	1	Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.7	10	Acceptable ambient air quality.
FACILITY	6NYCRR 201-1.4	1 -7	Maintenance of equipment.
FACILITY	6NYCRR 201-1.7	11	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage
FACILITY	6NYCRR 201-3.2 (a)	13	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.3 (a)	14	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-6	21, 52, 53	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6.4 (a) (4)	15	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (c)	3	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201- 6.4 (c) (3) (ii)	5	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (d) (4)	22	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (f)	1 -1	Compliance Certification
FACILITY	6NYCRR 201-6.4 (g)	23	Operational Flexibility
FACILITY	6NYCRR 201-6.5 (a)	71	Permit Shield
FACILITY	6NYCRR 201-7	24	State Enforceable Requirements
FACILITY	6NYCRR 201-7.1 (d)	36	Federally Enforceable Emissions Caps
FACILITY	6NYCRR 202-1.1	18	Proposed Monitoring, Recordkeeping, and Reporting
FACILITY	6NYCRR 202-2.1	7	Required emissions tests.
FACILITY	6NYCRR 202-2.4 (a) (3)	1 -4	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission statement methods and procedures
FACILITY	6NYCRR 211.1	72	Emission Statements - record keeping requirements. General Prohibitions

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

FACILITY	6NYCRR 211.2	39	- air pollution prohibited General Prohibitions
FACILITY	6NYCRR 212-1.3	40	- visible emissions limited.
FACILITY	6NYCRR 212-1.6 (a)	41	Determination of Environmental Rating
FACILITY	6NYCRR 212-2	42	Limiting of Opacity
FACILITY	6NYCRR 212-2.3 (b)	1 -5, 1 -6	Allowable Emissions State Air Program Non-Criteria air contaminants subject Table 4
FACILITY	6NYCRR 212-2.4 (b)	43	Control of Particulate from New and Modified Process Emission Sources
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
U-10001	6NYCRR 228-1.1 (a) (3)	54	Once in always in
FACILITY	6NYCRR 228-1.3 (a)	44	Surface Coating General Requirements- Opacity
U-10001	6NYCRR 228-1.3 (b) (1)	55	General Requirements - Record Keeping
U-10001	6NYCRR 228-1.3 (c)	56	Surface Coating General Requirements- Prohibitions
U-10001	6NYCRR 228-1.3 (d)	57	Surface Coating General Requirements- Handling, storage and disposal
U-10001	6NYCRR 228-1.3 (e)	58	Surface Coating - General control requirements (Class A & most B)
FACILITY	6NYCRR 228-1.3 (e) (2)	45	Use of 55 gallons of non-compliant coating
FACILITY	6NYCRR 228-1.4 (d) (2)	46	VOC limits for magnetic wire, metal can, coil, vinyl and fabric
U-10001	6NYCRR 228-1.6 (a)	59	Surface coating VOC analysis.
U-10001	6NYCRR 228-1.6 (c)	60	Surface coating access for sampling
U-10001	6NYCRR 228-1.6 (h)	61	Records reporting and maintaining

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

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

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

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

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 201-6.4 (g)

Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the federally enforceable portion of the permit, unless they are specifically addressed by it.

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

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

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, BALL METAL BEVERAGE CONTAINER CORP has been determined to be subject to the following regulations:

40 CFR 60.492 (a)

EU= U-10001, Proc 101

Volatile Organic Compound (VOC) emissions to the atmosphere from the process of exterior base coating of two piece beverage cans (using other than clear base coat) may not exceed 0.29 kilograms of VOC per liter of coating solids, averaged over each calendar month.

40 CFR 60.492 (b)

EU= U-10001, Proc 102

Volatile Organic Compound (VOC) emissions to the atmosphere from the process of exterior base coating of two piece beverage cans using clear base coat may not exceed 0.46 kilograms of VOC per liter of coating solids, averaged over each calendar month.

40 CFR 60.492 (c)

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

EU= U-10001, Proc 103

Volatile Organic Compound (VOC) emissions to the atmosphere from the process of inside spray coating of two piece beverage cans may not exceed 0.89 kilograms of VOC per liter of coating solids, averaged over each calendar month.

40 CFR 60.493 (b) (1)

EU= U-10001

The facility must maintain records of VOC content for each coating utilizing manufacturer formulation data or by analysis using Method 24. The volume weighted average of the total mass of VOC per volume of coating solids used shall be calculated monthly.

40 CFR 60.495 (a) (1)

EU= U-10001

For coatings which individually have a VOC content equal to or less than the limits specified in 60.492, the facility shall provide a list of coatings for the facility and VOC content in the initial compliance report required under 60.8(a).

40 CFR 60.495 (b)

This citation states the quarterly reporting requirements for emissions of VOC greater than the standards for 40 CFR 60 Subpart WW or semiannual reporting if emissions are less than the standards.

40 CFR 60.495 (d)

This citation states that facility shall maintain at the source, for a period of at least 2 years, records of all data and calculations used to determine VOC emissions in the initial and monthly performance test.

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.

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

40 CFR Part 60, Subpart IIII

This regulation defines performance standards for compression ignition stationary reciprocating internal combustion engines.

40 CFR Part 63, Subpart ZZZZ

This regulation defines performance standards for stationary reciprocating internal combustion engines.

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 201-6.5 (a)

This section identifies state enforceable requirements for Title V permits.

6 NYCRR 201-7.1 (d)

This regulation requires the owner or operator to include a proposed monitoring, recordkeeping, and reporting strategy to demonstrate that the emissions limitations under the proposed cap are verifiable and enforceable.

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.

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

6 NYCRR 212-1.3

Based upon the following requirements, all air contaminants will be assigned an Environmental Rating from A to D:

- (a) Toxic and other properties and emission rate potential of the air contaminant;
- (b) location of the process emission source or emission point(s) for the air contaminant with respect to residences or other sensitive environmental receptors, taking into account the area's anticipated growth;
- (c) emission dispersion characteristics at or near the process emission source or emission point(s), taking into account the physical location of the process emission source or emission point(s) relative to the surrounding buildings and terrain; and
- (d) the projected maximum cumulative impact of an air contaminant taking into account emissions from all process emission sources at the facility under review and the pre-existing ambient concentration of the air contaminant under review.

6 NYCRR 212-1.6 (a)

This provision 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 212-2.3 (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

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

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 228-1.1 (a) (3)

This citation dictates that any coating line, which is or becomes subject to the requirements of this regulation, will remain subject to its requirements even if the reason they were subject later falls below the applicability threshold.

6 NYCRR 228-1.3 (a)

This citation prohibits owners or operators of emission sources from allowing emissions to the outdoor atmosphere, which reduce the visibility through the atmosphere by 20 percent or greater for any consecutive six-minute period.

6 NYCRR 228-1.3 (b) (1)

This regulation requires the facility owner or operator to maintain a certification from the coating manufacturer that contains the information used to determine the as-applied volatile organic compound content of the coating. In addition, the facility owner or operator is required to maintain records of other information used to determine compliance with Part 228-1.

6 NYCRR 228-1.3 (c)

This citation prohibits anyone from facilitating in any way the use of a coating in violation of these regulations.

6 NYCRR 228-1.3 (d)

This citation directs the owners or operators of coating operations to minimize the emissions of volatile organic compounds to the atmosphere by properly handling, storing and disposing of coatings containing volatile organic compounds.

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

6 NYCRR 228-1.3 (e)

This regulation outlines the general control requirements for emissions of volatile organic compounds related to surface coating.

6 NYCRR 228-1.3 (e) (2)

This citation allows any facility to use up to 55 gallons of coatings (facility wide) on a 12-month rolling total basis which does not comply with the VOC content limits required by the regulation.

6 NYCRR 228-1.4 (d) (2)

This citation lists the VOC content limits for Class D coating lines.

6 NYCRR 228-1.6 (a)

This citation specifies the test methods to be used on samples of coatings collected during their application, to verify compliance with the VOC limit requirements of the regulation.

6 NYCRR 228-1.6 (c)

This citation permits Department personnel to enter a facility at reasonable hours for the purpose of collecting samples to verify compliance with VOC content limit requirements.

6 NYCRR 228-1.6 (h)

This citation requires the facility owner or operator to divulge any information or record showing noncompliance with the requirements of the regulation to the Department within 30 days and to maintain this information on the premises for a period of 5 years.

6 NYCRR Subpart 201-7

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

EU = U-10001

This regulation sets forth emission caps that cannot be exceeded by the facility. In this permit the facility caps out of 40 CFR 63 Subpart KKKK and 6 NYCRR 231-1.

6 NYCRR Subpart 212-2

For emissions of non-criteria air contaminants not specifically identified in this permit, the facility owner or operator shall meet the requirements specified in Subdivision 212-2.3(b), Table 4 "Degree of Air Cleaning Required for Non-criteria Air contaminants" or Subdivision 212-2.2 Table 2 "High Toxicity Air Contaminant List".

Non Applicability Analysis

List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Regulation	Short Description
FACILITY	40 CFR Part 64	COMPLIANCE ASSURANCE MONITORING

Reason: After re-considering Compliance Assurance Monitoring (CAM) applicability, it has been determined that it does not apply, pursuant to 40CFR 64.2(b) (1) (v). The capture and control systems(s) exist to comply with an emissions cap that meets the requirements specified in 40 CFR 70.4(b) (12). Therefore, CAM requirements have been removed from the permit.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.4(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

Summary of monitoring activities at BALL METAL BEVERAGE CONTAINER CORP:

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

FACILITY	49	record keeping/maintenance procedures
U-10001/-/101	66	work practice involving specific operations
U-10001/-/102	67	work practice involving specific operations
U-10001/-/103	68	work practice involving specific operations
U-10001	62	record keeping/maintenance procedures
U-10001	63	record keeping/maintenance procedures
U-10001	64	record keeping/maintenance procedures
U-10001	65	record keeping/maintenance procedures
FACILITY	51	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	25	intermittent emission testing
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	27	intermittent emission testing
FACILITY	28	intermittent emission testing
FACILITY	29	intermittent emission testing
FACILITY	30	record keeping/maintenance procedures
FACILITY	31	monitoring of process or control device parameters as surrogate
FACILITY	32	monitoring of process or control device parameters as surrogate
FACILITY	33	monitoring of process or control device parameters as surrogate
FACILITY	34	monitoring of process or control device parameters as surrogate
FACILITY	35	monitoring of process or control device parameters as surrogate
FACILITY	1-2	monitoring of process or control device parameters as surrogate
FACILITY	1-3	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	40	record keeping/maintenance procedures
FACILITY	41	monitoring of process or control device parameters as surrogate
FACILITY	42	record keeping/maintenance procedures
FACILITY	1-5	monitoring of process or control device parameters as surrogate
FACILITY	1-6	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
FACILITY	44	monitoring of process or control device parameters as surrogate
U-10001	55	record keeping/maintenance procedures
FACILITY	45	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
U-10001	59	record keeping/maintenance procedures
U-10001	61	record keeping/maintenance procedures

Basis for Monitoring

Title V permits must contain sufficient periodic monitoring to assure compliance with the applicable requirements. In some cases, in order to provide reasonable compliance assurance

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

with applicable requirements, it is necessary to develop facility specific operating/monitoring activities/conditions, which may include testing, monitoring, work practices, record-keeping and reporting requirements. The basis of monitoring for these permit conditions is as follows:

40 CFR 64 Compliance Assurance Monitoring

After re-considering Compliance Assurance Monitoring (CAM) applicability, it was determined that, pursuant to 40 CFR 64.2(b)(1)(v), it does not apply. The capture and control system(s) exist to comply with an emissions cap that meets the requirements specified in 40 CFR 70.4(b)(12). Therefore, all references to the CAM rule were removed from the permit.

6 NYCRR Part 201-7

VOC and HAP emission caps and monitoring requirements have been established at the facility to avoid applicability of Prevention of Significant Deterioration (PSD) and National Emissions Standards for Hazardous Air Pollutants (NESHAP) for major source requirements, as well as to comply with applicable 6 NYCRR Part 212 requirements for formaldehyde emissions. VOC and HAP emissions, calculated based upon the amounts of inks/coatings used, their VOC/HAP contents, and the documented emissions reduction achieved by the associated capture and control system, will be monitored monthly for compliance with caps. The regenerative thermal oxidizer (RTO) is tested once per permit term to document compliance and confirm the operating parameters/limits/control efficiency to be used to calculate emissions going forward.

6 NYCRR Part 228-1.4(d)(2)

Data sheets prepared by the coating supplier are used to demonstrate compliance with the VOC limits.

40 CFR 60.492

The provisions of this subpart apply to this facility. The beverage can surface coating operations include exterior base coat, over varnish coating, and inside spray coating operations. Data sheets prepared by the coating supplier are used to demonstrate compliance with the VOC limits. The facility complies with this subpart by using individual coatings with VOC contents equal to or less than the limit specified in 40 CFR 60.492. The facility reports the VOC contents of these coatings semiannually to the Department. The facility does not use the VOC capture and control system to demonstrate compliance with this requirement.

6 NYCRR Part 212-2

Since uncontrolled formaldehyde emissions are between 1 and 10 pounds per hour, and formaldehyde has an "A" environmental rating, a 99 percent reduction of emissions is required, pursuant to Table 4 of Part 212. However, where it can be demonstrated that the source owner or operator will apply Toxics-Best Available Control Technology (T-BACT), a less restrictive degree of control may be specified. In this case, T-BACT for operation of the coating lines and drying ovens has been determined to include the use of the RTO for control of formaldehyde emissions whenever they are operating, except for a maximum of 170 hours per year when the

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024

regenerative thermal oxidizer is shutdown for maintenance or malfunctions. During these times, emissions from the ovens are directed to a 100ft stack, in order to comply with the formaldehyde short term guideline concentration.

40 CFR 60 Subpart III(EU 10001)/40 CFR 63 Subpart ZZZZ:(EU 10001)

The facility has two(2) internal combustion engines that are exempt sources under 6 NYCRR 201-3 (c)(1)(6).

One of these engines is a natural gas emergency generator engine (EG): Winco spark ignition (SI) reciprocating internal combustion engine (RICE), constructed in 1982, rated at 70kW (94BHP). This engine is subject to the NESHAP 4Z requirements that apply to existing emergency SI RICE engines with less than 500 BHP located at area sources of HAPs, constructed before June 12, 2006.

The other engine is a diesel emergency generator engine (EG): Caterpillar (CAT) compression ignition (CI) internal combustion engine (ICE), Model year 2007, rated at 200 kW with a displacement of less than 10 liters/cylinder (l/cyl). This engine is subject to the NSPS 4I requirements that apply to 2007 and later model year emergency engines with less than 30 l/cyl, constructed after July 11, 2005 and manufactured after April 1, 2006. This CAT engine is also subject to NESHAP 4Z as a new RICE located at an area source of HAPs. Pursuant to 40 CFR 63.6590(c)(1) ("Stationary RICE subject to limited requirements"), a new RICE located at an area source must meet the requirements of NESHAP 4Z by meeting the requirements of NSPS 4I.

**Division of Air Resources
Permit Review Report**

Permit ID: 5-4115-00002/00129

Renewal Number: 4

Modification Number: 1 07/26/2024