

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023
Renewal Number: 4
07/24/2023

Facility Identification Data

Name: COMMONWEALTH PLYWOOD INC
 Address: 10068 US RTE 4
 WHITEHALL, NY 12887

Owner/Firm

Name: COMMONWEALTH PLYWOOD INC
 Address: 15 LABELLE BLVD
 PO BOX 90
 STE-THERESE, QC J7E 4H9, CAN
 Owner Classification: Corporation/Partnership

Permit Contacts

Air Permitting Facility Owner Contact:
 Name: Scott Prowell
 Address: 10070 Rte 4
 Whitehall, NY 12887
 Phone: 5184990099

**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 is a permit renewal.

Attainment Status

COMMONWEALTH PLYWOOD INC is located in the town of WHITEHALL in the county of WASHINGTON.

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
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Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

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:

Commonwealth Plywood produces softwood and hardwood plywood panels. Veneers are peeled from rough cut logs and dried in one of two veneer dryers. The facility also purchases dried hardwood veneers. The dried veneers are assembled using a heat-set resin to form plywood cores. The plywood panels are then trimmed and sanded to 4' X 8' sheets of various thickness and grades.

Permit Structure and Description of Operations

The Title V permit for COMMONWEALTH PLYWOOD INC

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.

COMMONWEALTH PLYWOOD INC is defined by the following emission unit(s):

Emission unit 101997 - This emission unit includes direct-fired and indirect-fired veneer dryers and the 25-million Btu/hr wood-fired fuel cell. The fuel cell provides hot air for the direct-fired veneer drying process. The direct-fired veneer dryer is the exhaust for the fuel cell. Emissions from the plywood press are vented inside the mill.

Emission unit 101997 is associated with the following emission points (EP):
00004, 00005, 0003A, 0003B, 0020A, 0020B, 0020C, 0021A, 0021B, 11197, EF001, EF002, EF003, EF004, TBD01, TBD02

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

Process: 260 is located at Building A - Mixed species veneers, including poplar and pine, of varying thicknesses and grades are dried to specified moisture contents in the Plymac indirect-fired dryer using process steam. This is the hot end (zones #1 & #2).

Process: 261 is located at Main, Building A - Mixed species veneers, including poplar and pine, of varying thicknesses and grades are dried to specified moisture contents in the Moore direct-fired dryer that is provided with hot air from a wood-fired fuel cell. This is the hot end (zones #1 & #2).

Process: 270 is located at Building A - Mixed species veneers, including poplar and pine, of varying thicknesses and grades are dried to specified moisture contents in the Plymac indirect-fired dryer using process steam. This is the cool end (zones #3). Fugitive emissions from this source go to the four general ventilation fans.

Process: 271 is located at Building A - Dried veneers are glued together in the plywood press using phenol-formaldehyde (PF) or urea-formaldehyde (UF) resin and process steam.

Process: 273 is located at Building A - Mixed species veneers, including poplar and pine, of varying thicknesses and grades are dried to specified moisture contents in a Moore direct-fired dryer that is provided with hot air from a wood-fired fuel cell. This is the cool end (zone #3). Fugitive emissions go to the general room vents.

Process: 274 is located at Building A - Wellons 6' fuel cell (25 mmBTU/hr) for wood fuel thruput purposes only. Emissions are accounted for with the drier (Process 261).

Emission unit 121997 - This emission unit includes the equipment used for trimming the veneer and trimming and sanding the plywood panels, including the veneer clipper, trim saw, hogger, and sander. Veneer and plywood trimmings are conveyed to the hogger, and the hogged wood residue is directed to either the dry bin, via a cyclone, or to the dry silo to be used as fuel. Sander dust is captured and directed to the baghouse.

Emission unit 121997 is associated with the following emission points (EP):
00001, 00016

Process: 266 is located at MAIN, Building A - The plywood is sanded prior to distribution. Sander dust is captured and directed to the baghouse.

Process: 267 is located at MAIN, Building A - Veneer and plywood trimmings are captured and conveyed to the hogger. Hogged wood is conveyed to either the Dry Bin via Cyclone #1, or the the dry Silo via cyclone #2, but not both simultaneously.

Emission unit 131997 - This emission unit includes the equipment used for storage and mixing of resins applied to veneers in the plywood press. these sources include the 2-compartment resin storage tank and the resin mix station. The storage tank compartments include conservation vents, which discharge within the building. The mix station includes a canopy hood and is vented to Emission Point 00019

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023
Renewal Number: 4
07/24/2023

Emission unit 131997 is associated with the following emission points (EP):
 RESIN

Process: 268 is located at Main, Building A - This process consists of the preparation and storage of PF resin to be applied to veneers in the glue press.

Process: 282 is located at Building A - Resin transfer/mixing.

Emission unit 111997 - This emission unit includes a 16-million Btu/hr wood fired boiler, a 20-million Btu/hr propane-fired boiler, a log kiln, and a plywood press. The wood-fired boiler provides process steam for the log kiln and the glue press. The propane boiler is used as a back-up to the wood-fired boiler.

Emission unit 111997 is associated with the following emission points (EP):
 00006, 00007, 00015

Process: 262 is located at MAIN, Building A - The 20.9 MMBTU/hr propane backup boiler is used to provide process steam when the Wellons Boiler is unavailable.

Process: 263 is located at Main, Building A - Logs are heated in the Log Kiln, a non-point source, using steam from the wood-fired or propane-fired boilers.

Process: 265 is located at MAIN, Building A - Wood residue is combusted in the 16-mmBTU/hr Wellons boiler to produce process steam.

Title V/Major Source Status

COMMONWEALTH PLYWOOD INC is subject to Title V requirements. This determination is based on the following information:

This facility is potentially major for:

VOC emissions at > 50 and < 100 tpy

Program Applicability

The following chart summarizes the applicability of COMMONWEALTH PLYWOOD INC with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	NO
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,

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023
Renewal Number: 4
07/24/2023

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

2421	SAWMILLS & PLANING MILLS GENERAL
2435	HARDWOOD VENEER AND PLYWOOD
2436	SOFTWOOD VENEER AND PLYWOOD

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

1-02-009-03	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - WOOD/BARK WASTE WOOD-FIRED BOILER (> 50,000 LB STEAM)
1-02-010-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - LIQUEFIED PETROLEUM GAS (LPG) Propane
3-07-007-02	PULP & PAPER AND WOOD PRODUCTS PULP & PAPER & WOOD - PLYWOOD/PARTICLEBOARD OPERATIONS
3-07-007-10	Sanding Operations PULP & PAPER AND WOOD PRODUCTS PULP & PAPER & WOOD - PLYWOOD/PARTICLEBOARD OPERATIONS
3-07-007-16	PULP & PAPER AND WOOD PRODUCTS:PLYWOOD/PARTICLEBOARD OPERATIONS:SAWING PULP & PAPER AND WOOD PRODUCTS

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023
Renewal Number: 4
07/24/2023

3-07-007-20	PULP & PAPER & WOOD - PLYWOOD/PARTICLEBOARD OPERATIONS POPLAR WOOD FIRED VENEER DRYER PULP & PAPER AND WOOD PRODUCTS
3-07-007-35	PULP & PAPER & WOOD - PLYWOOD/PARTICLEBOARD OPERATIONS PULP & PAPER AND WOOD PRODUCTS PRODUCTS:PLYWOOD:VENEER DRYER-STEAM HEATED-REDRY
3-07-007-69	PULP & PAPER AND WOOD PRODUCTS PULP & PAPER & WOOD - PLYWOOD/PARTICLEBOARD OPERATIONS Hardwood Veneer Dryer: Direct Wood-fired: Cooling Section
3-07-007-81	PULP & PAPER AND WOOD PRODUCTS PULP & PAPER & WOOD - PLYWOOD/PARTICLEBOARD OPERATIONS Plywood Operations - Indirect Heated Dryer: Poplar Veneer
3-14-015-03	PULP & PAPER AND WOOD PRODUCTS PULP & PAPER & WOOD - PLYWOOD/PARTICLEBOARD OPERATIONS Plywood Operations - Plywood Press: Urea-Formaldehyde Resin
3-14-015-04	TRANSPORTATION EQUIPMENT TRANSPORTATION EQUIPMENT - BOAT MANUFACTURING RESIN STORAGE
3-90-008-89	TRANSPORTATION EQUIPMENT TRANSPORTATION EQUIPMENT - BOAT MANUFACTURING RESIN TRANSFER IN-PROCESS FUEL USE INDUSTRIAL PROCESSES - IN-PROCESS FUEL USE GENERAL: WOOD

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
000099-83-2	1,3-			1251	

**Division of Air Resources
Permit Review Report**

**Permit ID: 5-5352-00007/00023
Renewal Number: 4
07/24/2023**

000108-10-1	CYCLOHEXADIEN E, 2-METHYL- 5-(1- METHYLETHYL)- 2-PENTANONE, 4-METHYL		50	
000075-07-0	ACETALDEHYDE		502	
000107-02-8	ACROLEIN		22	
000071-43-2	BENZENE		50	
013466-78-9	BICYCLO HEPT- 3-ENE, 3,7,7- TRIMETHYL-		669	
000080-56-8	BICYCLO(3.1.1)HEPT-2-ENE, 2,6,6- TRIMETHYL C10H16		19067	
000124-38-9	CARBON DIOXIDE			1616
000630-08-0	CARBON MONOXIDE		94308	
000067-64-1	DIMETHYL KETONE		570	
000050-00-0	FORMALDEHYDE	2197	425	
000138-86-3	LIMONENE (ALPHA)		4136	
007439-96-5	MANGANESE		1	
000074-82-8	METHANE		3555	
000067-56-1	METHYL ALCOHOL		5015	
0NY210-00-0	OXIDES OF NITROGEN		28282	
0NY075-00-0	PARTICULATES	132000		
000108-95-2	PHENOL		102	
0NY075-02-5	PM 2.5		11583	
0NY075-00-5	PM-10		47217	
007446-09-5	SULFUR DIOXIDE		2891	
0NY998-00-0	VOC	134000	79043	

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: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

- 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: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

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: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

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: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

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	34	Powers and Duties of the Department with respect to air pollution control
1-11997/-/265/00A10	40CFR 63-JJJJJJ	31	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources
FACILITY	40CFR 68	17	Chemical accident prevention provisions
FACILITY	40CFR 82-F	18	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	40CFR 98	28	Mandatory Greenhouse Gas Reporting
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	9	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	35	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, 29, 30	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(4)	14	General Conditions - Requirement to

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

FACILITY	6NYCRR 201-6.4 (a) (7)	2	Provide Information
FACILITY	6NYCRR 201-6.4 (a) (8)	15	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)	20	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (f)	21	Compliance Certification
FACILITY	6NYCRR 201-6.5 (a)	36	Operational Flexibility
FACILITY	6NYCRR 202-1.1	16	State Enforceable Requirements
FACILITY	6NYCRR 202-2.4 (a) (3)	22	Required emissions tests.
FACILITY	6NYCRR 202-2.5	7	Emission statement methods and procedures
FACILITY	6NYCRR 211.1	37	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.2	23	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 212-1.6 (a)	24	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212-2.1	38	Limiting of Opacity Requirements
1-01997/-/271/00A91	6NYCRR 212-2.1 (a)	39	HTACs applicable to Table 212-2.3 Table 4
FACILITY	6NYCRR 212-2.4 (b)	25	Control of Particulate from New and Modified Process
FACILITY	6NYCRR 212-3.1 (b)	26	Emission Sources
FACILITY	6NYCRR 215.2	8	Required VOC or NOX RACT plan by 10/20/1994
1-11997/00015	6NYCRR 227-1.3 (a)	32, 33	Open Fires - Prohibitions
FACILITY	6NYCRR 227-1.4 (a)	27	Particulate Emission Standards
			Opacity Standard

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

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

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

Division of Air Resources
Permit Review Report

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

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.

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

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, COMMONWEALTH PLYWOOD INC has been determined to be subject to the following regulations:

40 CFR Part 63, Subpart JJJJJ

This regulation covers facilities that own or operate an industrial, commercial, or institutional boiler as defined in §63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in §63.2, except as specified in §63.11195.

40 CFR Part 98

40 CFR Part 98 sets forth the reporting requirements for facilities that are subject to the mandatory reporting of greenhouse gases.

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 states that the facility must comply with future State rules concerning greenhouse gases.

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

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 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 212-1.6 (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 212-2.1

Emissions of air contaminants to the outdoor atmosphere from any process emission source or emission point are restricted as follows:

(a) For an air contaminant listed in section 212-2.2 table 2 – high toxicity air contaminant list, of this Subpart, the facility owner or operator shall either limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC; or demonstrate compliance with the air cleaning requirements for the HTAC as specified in subdivision 212-2.3(b), table 4 – degree of air cleaning required for non-criteria air contaminants, of this Subpart for the environmental rating assigned to the contaminant by the department.

6 NYCRR 212-2.1 (a)

This provision is for an air contaminant listed in Section 212-2.2 Table 2 - High Toxicity Air Contaminant List (HTAC). The facility owner or operator must either limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC; or demonstrate compliance with the air cleaning requirements for the HTAC as specified in Subdivision 212-2.3(b), Table 4.

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

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 (b)

This provision states that owners and/or operators of emission points subject to Part 212-3 must submit a compliance plan to the department by October 20, 1994. The compliance plan must either include the RACT analysis to reduce emissions or a plan to limit the annual potential to emit below the applicability levels.

6 NYCRR 227-1.3 (a)

This subdivision sets the particulate matter emission standards for subject stationary combustion installations.

6 NYCRR 227-1.4 (a)

This subdivisions sets the opacity standard for subject stationary combustion installations.

Compliance Certification

Summary of monitoring activities at COMMONWEALTH PLYWOOD INC:

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

1-11997/-/265/00A10	31	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	24	monitoring of process or control device parameters as surrogate
FACILITY	38	record keeping/maintenance procedures
1-01997/-/271/00A91	39	record keeping/maintenance procedures
FACILITY	25	intermittent emission testing
FACILITY	26	record keeping/maintenance procedures
1-11997/00015	32	intermittent emission testing
1-11997/00015	33	intermittent emission testing
FACILITY	27	record keeping/maintenance procedures

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5352-00007/00023

Renewal Number: 4

07/24/2023

Basis for Monitoring

Air contaminants from plywood manufacture include particulates from cutting and sanding the plywood and from the wood fired boiler. Drying the wood veneer and glueing it under heat and pressure releases volatile organic compounds (VOCs) and HAPs - Formaldehyde and Acetaldehyde in particular.

The facility makes daily observations of opacity from the boiler and appropriate process sources. The boiler will be stack tested for particulate to demonstrate compliance with DEC's updated Stationary Combustion regulation (Part 227). The first test under the new requirement must be done before February 25, 2025 and additional testing is required every 5 years after that. The 25 million Btu wood fired unit is not a boiler. It is not classified a combustion source since it's exhaust goes through the Moore dryer where it picks up VOCs before exhausting to the atmosphere. This makes it a process source subject to Part 212 rather than Part 227.

The facility performed stack testing for Formaldehyde and Acetaldehyde emission to determine compliance with 6NYCRR Part 212. The result of that testing is restrictions on operating hours and limiting the amount of softwood processed. These are rolling annual limits evaluated monthly.

The current permit says that reasonably available control technology (RACT) for VOC emissions is - no control required. That was based on AP-42 emissions estimates. The HAP testing made it clear that the AP42 estimates were not accurate for this plant. The facility will stack test for VOC emissions within 180 days of permit issuance to determine if the plant is a major source of VOC emissions and, if appropriate, a new RACT analysis will be required.