

**Comments on Draft title V Renewal and Modification Permit
for
Ball Metal Beverage Container Corporation, Saratoga County, NY**

I. Draft Permit

Applicability of Federal and SIP Approved Regulations - As specified at CAA §§504(a) and (c), 40 CFR §70.6, and 6 NYCRR 201-6.4, each title V permit must include all emission limitations and standards, as well as operational requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance. The permit must also include all necessary testing, monitoring, recordkeeping, and reporting requirements to demonstrate compliance with the emission limitations. Based on EPA's review, the draft permit should be revised to include all applicable federal and SIP approved requirements as discussed below.

A. 40 CFR §64 (CAM Rule or Part 64)

We found that certain required CAM rule permit content elements are missing from the draft permit and some permit conditions addressing CAM rule requirements lack the specificity needed to make them clear. The NYSDEC needs to ensure that all applicable requirements of the CAM rule are, appropriately, incorporated into the Ball Metal draft permit.

1. CAM Rule – Approved Monitoring Approach

The minimum monitoring requirements of Part 64 that need to be included in title V permits are specified at §64.6(c)(1) through (c)(4) and are discussed in detail below:

- a. As required by §64.6(c)(1)(i) through (iii), the approved monitoring approach including (1) the indicators to be monitored (such as temperature, pressure drop, emissions, or similar parameter); (2) the method of measuring the indicators (such temperature measuring device, visual observation, and CEMS); and (3) the performance criteria established to satisfy §64.3 (b) or (d), as applicable, which apply to Ball Metal must be included in the permit..
 - i. Condition 31 of the draft permit establishes a minimum combustion temperature of 1500°F for the regenerative thermal oxidizer (RTO). This condition should be revised to add (1) the method to be used by the facility to measure the RTO's combustion temperature (e.g., thermocouple, temperature sensor, etc.) as required by §64.6(c)(1)(ii); and (2) language stipulating §64.6(c)(1) (ii) as the underlying authority in addition to Part 201-7.
 - ii. Condition 34 of the draft permit establishes a “pressure drop range between 1 inch to 1.4 inches (“) of water to the RTO”. This condition should be revised to (1) make it clear that the pressure drop applies to the VOC capture system at the inlet of the RTO; (2) add the

method to be used by the facility to measure the pressure drop (e.g., differential pressure transmitter or monitor, etc.) as required by §64.6(c)(1)(ii) ; and (3) add language stipulating §64.6(c)(1)(ii) as the underlying authority in addition to Part 201-7.

- iii. As required by §64.6(c)(1)(iii), the performance criteria specified in §64.3(b)¹ (i.e., Data Representativeness, Verification of Operational Status, Quality Assurance and Quality Control (QA/QC) procedures, and Frequency of Monitoring) which applies to Ball Metal must be included as part of the monitoring approach requirements for both combustion temperature and pressure drop.
- b. Pursuant to §64.6(c)(2), a title V permit shall specify, at a minimum, the means of defining exceedances or excursions, the level which constitutes an exceedance or excursion, or the means by which that level will be defined; the averaging period that are associated with exceedances or excursions; and the procedures for notifying the permitting authority of the establishment or reestablishment of any exceedance or excursion level. The Ball Metal draft permit does not include language that specifically defines excursions or exceedances as required by 40 CFR §64.6(c)(2). Please address this issue.
- c. §64.6(c)(4) requires that “a permit shall specify if appropriate, the minimum data availability requirement for valid data collection for each averaging period, and, if appropriate the minimum data availability requirement for the averaging periods in a reporting period”. The NYSDEC should ensure that the draft permit satisfies the requirements at §64.6(c)(4)

2. CAM Rule - General Reporting Requirements

As required at §64.9 (a), the permit should be revised to include all specific reporting requirements for the RTO’s combustion temperature and pressure drop of the VOC capture system at the inlet of the RTO.

3. CAM Rule - General Recordkeeping Requirements

- a. Condition 31 of the draft permit contains language requiring the facility to record some, but not all, of the monitoring data specific to the RTO’s combustion temperature. Consistent

¹ These requirements are as follows: (1) “Data Representativeness”, such as the detector location, installation specifications to provide for obtaining representative data and minimum acceptable accuracy. §64.3(b) (1); (2) “Verification of Operational Status” addresses verification procedures, including procedures for installation, calibration, and operation of the monitoring equipment in accordance with the manufacturer’s recommendations, to confirm the operational status of the monitoring prior to the commencement of required monitoring. §64.3(b)(2); (3) “Quality Assurance/Quality Control (QA/QC) Procedures”, which are meant to ensure continuing validity of data. The monitoring approach must identify the minimum QA/QC activities that will be used to assure the continuing validity of the data for the purposes of indicating potential adverse changes in control performance. §64.3(b)(3); and (4) “Frequency of Monitoring” addresses monitoring frequency, data collection, and averaging period consistent with the characteristics and typical variability of the emissions unit and commensurate with the time period over which an exceedance or excursion is likely to occur. Emissions units with post control PTE greater or equal to 100 percent of the amount classifying the source as a major source must collect four or more values per hour to be averaged. Other emissions units must collect data at least once per 24-hour period. §64.3(b)(4).

with §64.9(b), the permit should be revised to include all recordkeeping requirements related to the RTO's combustion temperature.

- b. Condition 34 of the draft permit contains language requiring the facility to record some, but not all, of the monitoring data specific to the differential pressure of the VOC capture system at the inlet of the RTO. Consistent with §64.9(b), the permit should be revised to include all recordkeeping requirements related to the VOC capture system's differential pressure. Please note that the §64.9(b)(1) requires the source (facility) to maintain records of all CAM monitoring data, not just data indicating excursions or exceedances and corrective actions. Without records of all such data, the facility will not be able to demonstrate compliance during all times of operation.

4. CAM Rule & Part 70 - Required Compliance Certification Language

40 CFR part 70 was revised to be consistent with the CAM rule. §70.6(c)(5)(iii) now requires that annual compliance certifications "identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under part 64 of this chapter occurred." The draft permit should be revised to include this compliance certification requirement.

B. 40 CFR Part 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition (CI) Internal Combustion Engines (ICE) (NSPS 4I)

Based on the additional information provided by the NYSDEC, the facility includes one diesel emergency generator engine (EG): Caterpillar (CAT) CI ICE, Model year 2007, rated at 200 kW with a displacement of less than 10 liters/cylinder (l/cyl). From our review, this CAT EG, which is considered by the NYSDEC an exempt activity, 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. The draft permit should be updated to include all NSPS 4I requirements that apply to the CAT EG.

C. 40 CFR Part 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE) (NESHAP 4Z)

1. Based on the additional information provided by the NYSDEC, the facility includes one natural gas emergency generator engine (EG): Winco spark ignition (SI) RICE, constructed in 1982, and rated at 70 kW (94 BHP). From our review, this Winco EG, which is considered by the NYSDEC an exempt activity, 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 draft permit should be updated to include all NESHAP 4Z requirements that apply to the Winco EG.
2. The CAT EG, which is subject to NSPS 4I, 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. No further

requirements apply under NESHAP 4Z to the CAT EG. The draft permit should state that the facility shall comply with the NESHAP 4Z requirements for its CAT EG by complying with the applicable requirements of NSPS 4I.

D. 40 CFR NSPS Part 60, Subpart WW -Standards of Performance for the Beverage Can Surface Coating Industry (NSPS 2W)

Based on our review, the following NSPS 2W requirements that are applicable to processes 101 through 103 of emission unit (EU): U-10001 were omitted from the draft permit. The draft permit should be revised to include these requirements or provide an explanation in the permit review report (PRR) why these requirements do not apply to the 3 processes of EU: U-10001 that are identified above.

1. §60.493(b)(1) Performance test and compliance provisions – This section specifies the procedures a facility, which does not use a capture system and control device to comply with the NSPS 2W VOC emission standards, such as Ball Metal, should use for conducting the monthly performance test.
2. §60.495 Reporting and recordkeeping requirements.

II. Permit Review Report

In order to conform with the NYSDEC PRR Guidance and EPA regulations and guidance, the Facility Specific Requirements section of the PRR should be updated as follows:

A. NSPS 2W

Please address the following:

1. Identify the emission unit, processes and emission sources to which NSPS 2W applies.
2. Include a description of why and how NSPS 2W is applicable to the respective emission unit, processes and emission sources. which should address how the NSPS 2W applies and how applicability was determined. Please include an explanation of the purposes of the VOC capture system and control device employed at the facility.

B. CAM Rule

Please address the following:

1. Identify the emission unit to which CAM Rule applies.
2. Describe why CAM Rule is applicable to the respective emission units, including how CAM Rule applies and how applicability was determined.

C. NSPS 4I

Please address the following:

1. Identify the emission unit and emission source to which NSPS 4I applies.
2. Describe why NSPS 4I is applicable to the respective emission units/emission sources, including how NSPS 4I applies and how applicability was determined.

D. NESHAP 4Z

Please address the following:

1. Identify each emission unit and emission source to which NESHAP 4Z applies.
2. Describe why NESHAP 4Z applicable to the respective emission units/emission sources, including how NESHAP 4Z applies and how applicability was determined.