Colorado Department of Public Health and Environment

OPERATING PERMIT

Metal Container Corporation – Windsor Facility

First Issued: September 1, 1998
Renewed: July 1, 2003
Last Revised: September 1, 2006

AIR POLLUTION CONTROL DIVISION
COLORADO OPERATING PERMIT

FACILITY NAME:	Metal Container Corporation	OPERATING PERMIT NUMBER
FACILITY ID:	1230134	**96OPWE162**
RENEWED:	July 1, 2003	
EXPIRATION DATE:	July 1, 2008	
MODIFICATIONS:	See Appendix F of Permit	

Issued in accordance with the provisions of Colorado Air Pollution Prevention and Control Act, 25-7-101 et seq. and applicable rules and regulations.

ISSUED TO:	PLANT SITE LOCATION:
Metal Container Corporation 1201 18th Avenue Windsor, CO 80550-3309	1201 18th Avenue Windsor, Colorado Weld County

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INFORMATION RELIED UPON

Operating Permit Renewal Application Received: November 17, 2005

And Additional Information Received:

Nature of Business: Aluminum beverage can manufacturing

Primary SIC: 3411

RESPONSIBLE OFFICIAL		FACILITY CONTACT PERSON	
Name:	Dan Kimutis	Name:	Chris Banfield
Title:	Plant Manager	Title:	EHS Manager
Phone:	970-686-1514	Phone:	970-686-1516

SUBMITTAL DEADLINES

Semi-Annual Monitoring Period:	July 1 – December 31, January 1 – June 30
Semi-Annual Monitoring Report:	February 1, 2004 and August 1, 2004 and subsequent years
Annual Compliance Period:	July 1 – June 30
Annual Compliance Certification:	August 1, 2004 and subsequent years

Note that the Semi-Annual Monitoring Reports and Annual Compliance Certifications must be received at the Division office by 5:00 p.m. on the due date. Postmarked dates will not be accepted for the purposes of determining the timely receipt of those reports/certifications.

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SECTION I - General Activities and Summary

1. Permitted Activities

1.1 Metal Container Corporation manufactures the bodies of 2 piece-aluminum beverage cans. The plant has two process lines (Lines No. 1 and 2), which have emissions from natural gas fired ovens/boilers, can forming equipment, surface coating operations and miscellaneous combustion sources. Each process line consists of front-end and back-end operations. The front-end includes cupping and bodymaking units, which form the cans from aluminum coil, followed by washers which clean the can bodies for decorating. The back-end comprises the surface coating operations. A portion of the cans made are basecoated and cured in a natural gas-fired oven and then routed to decorators where the exterior of the can is printed with high solid inks. Cans that are not basecoated are routed directly to the decorators and cured in natural gas-fired ovens. The cans are then roll-coated with a water-based overvarnish and rim varnish before being cured in natural gas-fired ovens. The inside of the can is sprayed with a water-based coating and cured in natural gas-fired ovens. Following the coating operations, the cans are necked, reformed, tested, and palletized prior to warehousing for shipment. The boilers supply low pressure hot water for the washers. The miscellaneous combustion sources supply building heat.

The facility is located southeast of Windsor on the north side of County Road 66 in the Windsor Industrial Park, Weld County. The area in which the plant operates is designated as attainment for all criteria pollutants. There is one affected state within 50 miles of the plant: Wyoming. The following Federal Class I designated areas are within 100 kilometers of the plant: Rawah Wilderness Area and Rocky Mountain National Park.

1.2 Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air pollutants from this facility in accordance with the requirements, limitations, and conditions of this permit.

1.3 The Operating Permit incorporates the applicable requirements contained in the underlying construction permits, and does not affect those applicable requirements, except as modified during review of the application or as modified subsequent to permit issuance using the modification procedures found in Regulation No. 3, Part C. These Part C procedures meet all applicable substantive New Source Review requirements of Part B. Any revisions made using the provisions of Regulation No. 3, Part C shall become new applicable requirements for purposes of this Operating Permit and shall survive reissuance. This permit incorporates the applicable requirements (except as noted in Section II) from the following construction permits: 95WE195.

1.4 All conditions in this permit are enforceable by US Environmental Protection Agency, Colorado Air Pollution Control Division (hereinafter Division) and its agents, and citizens unless otherwise specified. **State-only enforceable conditions are:** Permit Condition Number(s): Section IV - Conditions 14, 18 & 3.g (as noted).

1.5 All information gathered pursuant to the requirements of this permit is subject to the Recordkeeping and Reporting requirements listed under Condition 22 of the General Conditions in Section IV of this permit. Either electronic or hard copy records are acceptable.

2. Alternative Operating Scenarios

2.1 The permittee shall be allowed to make the following changes to its method of operation without applying for a revision of this permit.

No separate operating scenarios have been specified.

3. Prevention of Significant Deterioration

3.1 This facility is located in an area designated attainment for all pollutants. Based on the information provided by the applicant, it is not categorized as a major stationary source (no single criteria pollutant emissions with a Potential to Emit of greater than 250 TPY as of the issue date of this permit. The source therefore is not subject to the PSD review requirements of 40 CFR 52.21 (Colorado Regulation No. 3, Part D, Section VI).

This facility is located in the 8-hr Ozone Control Area as defined in Regulation No. 7, Section II.A.16.

Future modifications to this facility which are major by itself will result in the application of the PSD review requirements. In addition, future modifications at this facility may result in the facility being classified as a major stationary source. Once that threshold is exceeded, future modifications at this facility resulting in a significant net emissions increase (see Reg 3, Part D, Sections II.A.27 and 44) for any pollutant as listed in Regulation No. 3, Part D, Section II.A.44 or a modification which is major by itself may result in the application of the PSD review requirements.

3.2 There are no other Operating Permits associated with this facility for purposes of determining applicability of Prevention of Significant Deterioration regulations.

4. Accidental Release Prevention Program (112(r))

4.1 Based upon the information provided by the applicant, this facility is not subject to the provisions of the Accidental Release Prevention Program (Section 112(r) of the Federal Clean Air Act).

5. Compliance Assurance Monitoring (CAM)

5.1 The following emission points at this facility use a control device to achieve compliance with an emission limitation or standard to which they are subject and have pre-control emissions that exceed or are equivalent to the major source threshold. They are therefore subject to the provisions of the CAM program as set forth in 40 CFR Part 64, as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV:

None

6. Summary of Emission Units

6.1 The emissions units regulated by this permit are the following:

Current AIRS Point Number	Old AIRS Point Number*	APEN Number	Description	Pollution Control Device	Construction Permit
100	FUEL BURNING EQUIPMENT				
	001	86WE191-1	Cleaver Brooks, Model CB 700-300, S/N L83229, Natural Gas Fired Steam Boiler, rated at 14.650 MMBtu/hr. Boiler No. 1	None	95WE195
	002	86WE191-2	Cleaver Brooks, Model CB 700-300, S/N L83228 Natural Gas Fired Steam Boiler, rated at 14.650 MMBtu/hr. Boiler No. 2		
	003	86WE191-3	Natural Gas Fired Heaters: 11 Unit Heaters: ID #S 10 through 20 2 Air Rotation Units: ID #S 30 & 31 1 Water Heater, ID #50 Each rated less than 5 MMBtu/hr		
	026 027 028 029	92WE1354	Four (4) Natural Gas Fired, Makeup Air Heaters with heat ratings of: #1 10.3 MMBtu/hour #2 10.3 MMBtu/hour #5 7.4 MMBtu/hour #6 13.1 MMBtu/hour		
101	**CAN FORMING SOURCES**				95WE195
	004	86WE191-4	Line No. 1 Standun Bodymakers, Model B318, and S/Ns 72501-72506, one Standun/Stolle Bodymaker, Model B518 and an Oil Mist Lubrication System for Beverage Can Body Presses	Munters Unit Oil Mist Elimination System	

Current AIRS Point Number	Old AIRS Point Number*	APEN Number	Description	Pollution Control Device	Construction Permit
101	022	92WE399-1	Line No. 2 Standun Bodymakers, Model B318, and S/Ns 725120, 725110, 725100, 725090, 725080, 72507, and Oil Mist Lubrication System for Beverage Can Body Presses	Munters Unit Oil Mist Elimination System	
	023	92WE399-2	Can Elevators for Lines No. 1 and 2.	Two (2) - Wet Can Inverter Mist Filters	
102	CAN COATING SOURCES				
	005	86WE191-5	Line No. 1 Storage tank for bulk storage of basecoat and sizecoat	None	
	006	86WE191-6	Storage tank for bulk storage of inside spray coating		
	007	86WE191-7	Storage tank for bulk storage of overvarnish coating		
	012	86WE191-12	Basecoat Surface Coating System: Basecoater rated at 10.5 gallons per hour Natural Gas Fired drying/curing oven, rated at 1.450 MMBtu/hour. Emissions through two exhaust stacks.		
	014	86WE191-14	Line No. 1 Decorator System: Decorator printer rated at 1.0 gallons of ink per hour. Overvarnish coater rated at 10.1 gallons per hour Natural gas fired drying/curing oven rated at 1.450 MMBtu/hour. Emissions exhausted by two stacks.	None	95WE195

Current AIRS Point Number	Old AIRS Point Number*	APEN Number	Description	Pollution Control Device	Construction Permit
102	015	86WE191-15	Line No. 2 Decorator System: Decorator printer rated at 0.8 gallons of ink per hour. Overvarnish coater rated at 8.4 gallons per hour Natural gas fired drying/curing oven rated at 1.450 MMBtu/hour. Emissions exhausted by two stacks.		
	013	86WE191-13	Line 2A Decorator System: Ragsdale 8-color decorator/printer, rated at 0.8 gallons/hour ink throughput Ragsdale overvarnish unit rated at 8.4 gallons/hour Belvac varnish unit rated at 0.8 gallon/hour Natural gas fired drying/curing oven rated at 1.450 MMBtu/hour. Emissions exhausted through two exhaust stacks.		
	016	86WE191-16	Line No. 1 Inside Spray & Bottom Varnish Surface Coating System: Seven (7) inside spray machines, together rated at 20.2 gallons/hour Bottom varnish rated at 1.0 gallon/hour Natural gas fired drying/curing oven rated at 3.080 MMBtu/hour. Two stacks exhaust emissions from oven.	Overspray exhausted through MikroPulsaire baghouse	
	017	86WE191-17	Line No. 2 Inside Spray & Bottom Varnish Surface Coating System: Six (6) inside spray machines, together rated at 16.4 gallons/hour Bottom varnish rated at 0.8 gallon/hour Natural gas fired drying/curing oven rated at 3.080 MMBtu/hour. Two stacks exhaust emissions from oven.	Overspray exhausted through MikroPulsaire baghouse	95WE195

Current AIRS Point Number	Old AIRS Point Number*	APEN Number	Description	Pollution Control Device	Construction Permit
	018	86WE191-18	Clean-up operations with various solvents	None	
102	020	86WE054	Respraying of defectively coated cans: Reynolds Model DG250 inside spray machine rated at 1.5 gallons/hour	Baghouse	
	021	90WE455-1	Parts Cleaners: Three (3) Safety-Kleen Model 44 Two (2) Greymills Model 902-4	None	
	024	92WE399-3	Makeup heater #3 -Natural gas fired rated at 6.2 MMBtu/hour		
	025	92WE399-4	Makeup heater #4 -Natural gas fired rated at 6.2 MMBtu/hour		
102	012		Process Emissions from the following each have their own stack: Line No. 1 Basecoat Surface Coating System.	None	
	013 014 015		Line No. 1, 2, and 2A Decorator System.		
	016 017		Line No. 1 and 2 Inside Spray and Bottom Varnish Surface Coating System.		
	020		Reynolds Inside Spray Machine		
	018		Clean-up Operations		
			One (1) oil split “acid” tank One (1) oil split “hot” tank		
030		96WE060	Aluminum Scrap Handling System	None	95WE195
	010	86WE191-10	Can Washer #1: Can washer and natural gas fired dryer rated at 3.170 MMBtu/hour. Associated with three (3) stacks	None	95WE195
	011	86WE191-11	Can Washer #2: Can washer and natural gas fired dryer rated at 3.170 MMBtu/hour. Associated with three (3) stacks		
	019	87WE328	Caterpillar 3406TA 440 HP diesel fired internal combustion engine driving fire pump.		

Current AIRS Point Number	Old AIRS Point Number*	APEN Number	Description	Pollution Control Device	Construction Permit
		90WE455-2	Oil holding tank		
031		95WE195-31	Temporary diesel fired internal combustion engine rated at 800 HP or less, driving air compressor		

* The AIRS point numbers have been changed to allow the source to group certain equipment together under one AIRS point. The old AIRS point numbers are listed here for reference.

SECTION II - Specific Permit Terms

1. Fuel Burning Equipment:

B001 and B002: Cleaver Brooks Boilers (2-12.553 MMBtu/hr)
B003: Make-Up Air Heaters (2-10.3 MMBtu/hr, 1-13.1 MMBtu/hr)
Insignificant Combustion Sources (fuel burning equipment for process heat < 5 MMBtu/hr and fuel burning equipment for building heat < 10 MMBtu/hr)

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
Facility-wide NO_x	1.1	82.2 tons per year	98 lb/MMscf	Record keeping & Calculation 12 month rolling total	Monthly
Facility-wide CO		46.0 tons per year	82 lb/MMscf		
Facility-wide VOC		245 tons per year	5.4 lb/MMscf		
Facility-wide PM_{10}		11.0 tons per year	7.5 lb/MMscf		
Facility-wide PM		11.0 tons per year	7.5 lb/MMscf		
Facility-wide HAP		9.9 tons per year for any single HAP 20 tons per year for total HAPs	Benzene: 0.0021 lb/MMscf Dichlorobenzene: 0.0012 lb/MMscf Formaldehyde: 0.075 lb/MMscf Hexane: 1.8 lb/MMscf Naphthalene: 0.00061 lb/MMscf Toluene: 0.0034 lb/MMscf And other factors listed in AP-42 Table 1.4-3 & 1.4-4		
PM Standard	1.2	$0.5(FI)^{-0.26}$ lb/MMBtu		Fuel Restriction	
Natural Gas Use	1.3	912 MMscf/yr		Record keeping	Monthly
Opacity	1.4	Not to Exceed 20%		Fuel Restriction	

1.1 Emissions from all combustion units in the facility shall not exceed the limitations stated above (Colorado Construction Permit 95WE195). The emission factors listed above have been approved by the Division and shall be used to calculate emissions (EPA Compilation of Air Pollution Emission Factors (AP-42), Tables 1.4-1 and 2, March 1998, adjusted for heating value of 1000 Btu/scf).

Facility-wide natural gas consumption will be used to calculate emissions from all combustion sources on a monthly basis. Monthly emissions from all combustion sources shall be summed with the monthly emissions from other emission units and a twelve month rolling total of facility-wide emissions will be maintained to verify compliance with the annual emission

limitations. Each month, a new twelve month total shall be calculated using the previous twelve months data.

$$\frac{\text{lb}}{\text{month}} = \text{Compliance Emission Factor } \left(\frac{\text{lb}}{\text{MMscf}}\right) \text{ X Monthly Recorded Fuel Use } \left(\frac{\text{MMscf}}{\text{month}}\right)$$

1.2 Particulate Matter emissions from each unit shall not exceed the standard as stated in the above table. Allowable emissions of PM in lb/MMBtu were calculated using the following equation (Colorado Regulation No. 1, Section III.A.1.b):

Allowable PE (lb/MMBtu) = $0.5(\text{Fuel Input in MMBtu/hr})^{-0.26}$

1.3 Natural gas consumption by all combustion sources in the facility is limited to 912 MMscf/yr. Natural gas consumption shall be recorded monthly. A twelve month rolling total of natural gas use shall be maintained to determine compliance with the annual limitation.

1.4 No owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity. This standard is based on 24 consecutive opacity readings taken at 15-second intervals for six minutes. The approved reference test method for visible emissions measurement is EPA Method 9 (40 CFR, Part 60, Appendix A (July, 1992)) in all subsections of Section II. A and B of this regulation (Colorado Regulation No. 1, Section II.A.1). In the absence of credible evidence to the contrary, compliance with the 20% opacity limit shall be presumed since only natural gas is permitted to be used as fuel for this equipment. The permittee shall maintain records that verify that only natural gas is used as fuel.

2. Can Forming Operations

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
Facility-wide PM	2.1	11.0 tons per year	0.10 pound per hour per production line	Record keeping & Calculation 12 month rolling total	Monthly
Facility-wide PM_{10}		11.0 tons per year			
Control Equipment Operation	2.2	Good Maintenance and Operating Procedures		Maintenance & Record keeping	As Needed
Hour of Operations	2.1			Record keeping	Monthly
Opacity	2.3	Not to exceed 20%			

2.1 Facility-wide emissions of PM and PM_{10} shall not exceed the limitations stated above (Colorado Construction Permit 95WE195). The hours of Operation for this unit shall be monitored monthly and recorded in a log that is available to the Division upon request. A twelve calendar month rolling total shall be maintained to monitor compliance with the annual limits. Within thirty (30) days of the end of the calendar month a total shall be calculated for the month, a total calculated for the previous 12 calendar months, the compliance determined and recorded. Records of the calculations and compliance determinations shall be maintained and made available for Division review upon request.

2.2 Routine maintenance and operation of the mist eliminators with filters and wet can inverter mist filters shall be performed in accordance with manufacturer's recommendations and good engineering practices. Specifically:

2.2.1 The mist eliminators with filters shall operate when the oil mist lubrication systems are in operation.

2.2.2 Process equipment and associated piping/duct work shall be maintained and operated so that there is no leakage of air contaminants to the atmosphere prior to treatment by the control equipment.

2.2.3 Records of control equipment and associated duct maintenance shall be kept.

2.3 No owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity. This standard is based on 24 consecutive opacity readings taken at 15-second intervals for six minutes. The approved reference test method for visible emissions measurement is EPA Method 9 (40 CFR, Part 60, Appendix A (July, 1992)) in all subsections of Section II. A and B of this regulation. (Colorado Regulation No. 1, Section II.A.1)

3. Can Coating Operations

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
Facility-wide VOC	3.1	245 tons per year	Mass Balance	Record keeping & Calculation	Monthly
Facility-wide HAP		9.9 tons per year for any single HAP 20 tons per year for total HAPs	Mass Balance	Record keeping & Calculation	Monthly
Facility-wide PM	3.2	11.0 tons per year	As Defined Below	Record keeping & Calculation Baghouse Maintenance	Monthly As Defined
Facility-wide PM_{10}		11.0 tons per year			
Material Usage	3.3			Record keeping	Weekly
NSPS Subpart WW - Standards of Performance for the Beverage Can Surface Coating Industry	3.4	As Defined Below		NSPS Subpart WW	As Defined
General Provisions	3.5			NSPS General Provisions	As Defined
Can production	3.6			Record keeping	Daily
Opacity	3.7	Not to exceed 20%			
Odor	3.8			Record keeping	Annual

3.1 Facility-wide emissions of VOC and HAPs shall not exceed the limitations stated above (Colorado Construction Permit 95WE195 as modified under the provisions of Section II, condition 1.3). The source shall record coating, ink, and cleanup material usage on a weekly basis. The weekly usages will be used to calculate VOC & HAP emissions. VOC & HAP emissions are based on mass balance calculations. Material usage and percent of VOC & HAP in each material (coatings, inks, and solvents) shall be used to calculate VOC & HAP emissions. VOC & HAP emissions shall be summed to determine monthly VOC & HAP emissions. Monthly emissions from this emission unit shall be summed with the monthly emissions from other emission units and a twelve month rolling total of facility-wide emissions will be maintained to verify compliance with the long term emission limitations. Each month, a new twelve month total shall be calculated using the previous twelve months data.

3.2 Facility-wide emissions of PM and PM_{10} shall not exceed the limitations stated above (Colorado Construction Permit 95WE195). PM and PM_{10} emissions shall be calculated with the equation below based on material consumption.

$$PM \text{ (consisting 100\% } PM_{10}) = V \times P \times (1-\eta_{transfer}) \times \rho \times \eta_{baghouse}$$

Where: V = Volume of inside spray material used

P = Volume of solids per volume of inside spray material
$\eta_{transfer}$ = Transfer Efficiency (80% - from AP-42 for airless spray on flat surfaces
ρ = Density of solids (from MSDS data sheet)
$\eta_{baghouse}$ = Baghouse control efficiency

Monthly emissions from these units shall be summed with the monthly emissions from other emission units and a twelve month rolling total of facility-wide emissions will be maintained to verify compliance with the annual emission limitations. Each month, a new twelve month total shall be calculated using the previous twelve months data.

3.2.1 Routine maintenance and operation of the baghouse shall be performed in accordance with manufacturer's recommendations and good engineering practices. These maintenance and operation procedures shall be in written format and include a log detailing the activities conducted. The log shall be made available to the Division upon request.

3.2.2 The baghouse shall be internally inspected for bag integrity and overall mechanical efficiency semi-annually. The bags shall be internally inspected when a significant change in pressure occurs. Necessary repairs shall be made prior to bringing the equipment back on line. An adequate inventory of replacement bags and parts shall be maintained on site.

3.2.3 A baghouse control efficiency of 99% shall be applied to the emissions calculation above if Conditions 3.2.1. and 3.2.2. of this permit are met.

3.3 Consumption of each material used in this operation shall be monitored weekly and recorded in a log that is available to the Division upon request. Recorded data shall be used to calculate emissions for determination of the need for a revised APEN.

3.4 This source is subject to New Source Performance Standards (NSPS) requirements of Colorado Regulation No. 6, Part A, Subpart WW, Standards of Performance for the Beverage Can Surface Coating Industry (40 CFR §60.490 through §60.496) as follows:

3.4.1 Standards for Volatile Organic Compounds as stated in 40 CFR §60.492 and the following: Discharge of VOC to the atmosphere shall not exceed the following, on volume-weighted calendar-month average emissions:

3.4.1.1 0.29 kg of VOC per liter (2.42 pounds per gallon) of coating solids from each two-piece can exterior base coating operation, except clear base coat;

3.4.1.2 0.46 kg of VOC per liter (3.83 pounds per gallon) of coating solids from each two-piece can clear base coating operation and from each overvarnish coating operation; and

3.4.1.3 0.89 kg of VOC per liter (7.42 pounds per gallon) of coating solids from each two-piece can inside spray coating operation.

3.4.2 Emission rate calculation requirements as stated in 40 CFR §60.493 and §60.496.

3.4.3 Reporting and record keeping requirements as stated in 40 CFR §60.495. Reporting under this section is to be fulfilled concurrently with Appendix B compliance monitoring reporting and shall be submitted to the Division.

3.5 This unit is subject to the NSPS Subpart A, General Provisions requirements (Colorado Regulation No. 6, Part A, 40 CFR §60.1 through §60.19). Specifically, this unit is subject to the following:

3.5.1 No article, machine, equipment or process shall be used to conceal an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gasses discharged to the atmosphere. (40 CFR §60.12)

3.5.2 Records of startups, shutdowns, and malfunctions shall be maintained, as required under 40 CFR §60.7.

3.5.3 Performance tests shall be conducted as required under 40 CFR §60.8, and as per §60.493 (b) (1).

3.5.4 At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. (40 CFR §60.11 (d))

3.6 Can production rate of this unit shall be monitored daily and recorded in a log that is available to the Division upon request. Recorded data shall be used to calculate emissions for determination of the need for a revised APEN.

3.7 No owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity. This standard is based on 24 consecutive opacity readings taken at 15-second intervals for six minutes. The approved reference test method for visible emissions measurement is EPA Method 9 (40 CFR, Part 60, Appendix A (July, 1992)) in all subsections of Section II. A and B of this regulation. (Colorado Regulation No. 1, Section II.A.1)

3.8 This unit is subject to Colorado Regulation No. 2 Odor requirements (Colorado Construction Permit 95WE195). All Odor complaints shall be recorded and made available to the Division upon request. The source shall employ such measures and operating procedures as are necessary to minimize odor emissions.

4. Aluminum Scrap

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
Facility-wide PM	4.1 4.4	11.0 tons per year	0.45 pound per ton of aluminum scrap	Record keeping & Calculation 12 month rolling total	Monthly
Facility-wide PM_{10}		11.0 tons per year			
Aluminum Scrap Throughput	4.2	5,000 tons per year			Monthly
Equipment Operation	4.3 4.4	Good Maintenance and Operating Procedures		Maintenance & Record keeping	As Needed
Opacity	4.3 4.4 4.5	Not to exceed 20%		Material Restriction	None

4.1 Facility-wide emissions of PM and PM_{10} shall not exceed the limitations stated above (Colorado Construction Permit 95WE195). The material consumption shall be used to calculate emissions on a monthly basis. A twelve calendar month rolling total shall be maintained to monitor compliance with the annual limits. Within thirty (30) days of the end of the calendar month a total shall be calculated for the month, a total calculated for the previous 12 calendar months, the compliance determined and recorded. Records of the calculations and compliance determinations shall be maintained and made available for Division review upon request.

4.2 Scrap aluminum throughput is limited to 5,000 TPY. (Colorado Construction Permit 95WE195 as modified under the provisions of Section II, condition 1.3) Scrap aluminum throughput shall be monitored monthly and recorded in a log that is available to the Division upon request. Recorded data shall be used to calculate emissions for determination of the need for a revised APEN.

4.3 Routine maintenance and operation of the cyclone shall be performed in accordance with manufacturer's recommendations and good engineering practices to minimize emissions and ensure compliance with particulate and opacity standards. (Colorado Construction Permit 95WE195) Specifically:

4.3.1 The cyclone and the exhaust fans for the cyclone shall be operated when the aluminum scrap systems are in operation.

4.3.2 Process equipment and associated piping/duct work shall be maintained and operated so that there is no leakage of air contaminants to the atmosphere.

4.3.3 Records of equipment and associated duct maintenance shall be kept.

4.4 At all times, including periods of start-up, shutdown, and malfunction, the facility and equipment shall, to the extent practicable, be maintained and operated in a manner consistent with good air

pollution control practices for minimizing emissions. Determination of whether or not acceptable operating and maintenance procedures are being used will be based on information available to the Division, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. (Colorado Construction Permit 95WE195)

4.5 No owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity. This standard is based on 24 consecutive opacity readings taken at 15-second intervals for six minutes. The approved reference test method for visible emissions measurement is EPA Method 9 (40 CFR, Part 60, Appendix A (July, 1992)) in all subsections of Section II. A and B of this regulation (Colorado Regulation No. 1, Section II.A.1). In the absence of any credible evidence to the contrary, compliance with the 20% opacity limit may be presumed based on the type of material processed, the method of operation, and compliance with Condition 4.3 above.

5. Insignificant Activities

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
VOC	5.1			Record keeping & Calculation	Annual
HAP	5.2	< 0.1 ton per year Glycol Ethers		Record keeping & Calculation	Annual

5.1 The source shall identify all insignificant activities that are sources of VOC emissions and calculate actual VOC emissions from the insignificant activities annually. If total facility-wide VOC emissions exceed 250 TPY, including VOC emissions from insignificant activities, the facility will exceed the emissions limit for synthetic minor status for the purposes of Prevention of Significant Deterioration. The emission factors and/or methodology used to estimate actual emissions shall be documented and made available to the Division upon request.

5.2 The source shall track HAP emissions from all insignificant activities on a yearly basis. HAP emissions from all insignificant activities shall not exceed 0.1 ton per year of Glycol Ethers. This information shall be made available to the Division for inspection upon request. For the purposes of this condition, insignificant activities shall be defined as any activity or equipment, which emits any amount of HAP but does not require an Air Pollutant Emission Notice (APEN). If total facility-wide HAP emissions equal or exceed 10 TPY (any single HAP) or 25 TPY (total HAPs), including HAP emissions from insignificant activities, the facility will exceed the emissions limit for synthetic minor status and certain MACT standards may apply. The emission factors and/or methodology used to estimate actual emissions shall be documented and made available to the Division upon request.

6. Temporary Diesel Engine/Air Compressor Unit

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monitoring	
				Method	Interval
Facility-wide NO_x	6.2	82.2 tons per year	0.031 pounds per horsepower-hour	Record keeping & Calculation 12 month rolling total	Monthly
Facility-wide CO		46.0 tons per year	0.00668 pounds per horsepower-hour		
Facility-wide VOC		245 tons per year	0.00247 pounds per horsepower-hour		
Facility-wide PM_{10}		11.0 tons per year	0.0022 pounds per horsepower-hour		
Facility-wide PM		11.0 tons per year	0.0022 pounds per horsepower-hour		
SO_2		4.9 tons per year	0.004045 pounds per horsepower-hour		
Facility-wide HAP		9.9 tons per year for any single HAP 20 tons per year for total HAPs	Formaldehyde: 1.18e-3 lb/MMbtu Propylene: 2.58e-3 lb/MMbtu Benzene: 9.33e-4 lb/MMbtu Toluene: 4.09e-4 lb/MMbtu And other factors listed in AP-42 Table 3.3-2		
Horsepower	6.1 6.4	Not to exceed 800			
Hours of Operation		3000 hours per year			
Opacity	6.3	Not to Exceed 20%		Visible emissions ---------- Method 9	Once per calendar week when operating ---------- As Necessary
		Not to exceed 30% for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes			

6.1 The terms and conditions for the engine are based on the diesel engine burning distillate fuel oil. The terms and conditions are being established directly in this Operating Permit in accordance with Section I, Condition 1.3 of this Operating Permit. Distillate fuel oil is Grade 2 distillate oil as defined by the most current version of the appropriate ASTM test methods or other Division approved methods. The fuel sulfur content shall not exceed 0.5%.

6.2 The emission limits are being established directly in this Operating Permit in accordance with Section I, Condition 1.3 of this Operating Permit. The hours of operation and the emission factors provided in the table above shall be used to calculate emissions on a calendar month basis. A twelve calendar month rolling total shall be maintained to monitor compliance with the annual limits. Within thirty (30) days of the end of the calendar month a the emissions shall be calculated for the month, a total for each emission calculated for the previous 12 calendar months, the compliance determined and recorded. Records of the calculations and compliance determinations shall be maintained and made available for Division review upon request.

6.3 Opacity

6.3.1 Except as provided in Condition 6.3.2 following, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity. This standard is based on 24 consecutive opacity readings taken at 15-second intervals for six minutes. The approved reference test method for visible emissions measurement is EPA Method 9 (40 CFR, Part 60, Appendix A (July, 1992)) in all subsections of Section II. A and B of this regulation (Colorado Regulation No. 1, Section II.A.1).

6.3.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from the building of a new fire, cleaning of fire boxes, soot blowing, start-up, any process modification, or adjustment or occasional cleaning of control equipment, which is in excess of 30% opacity as measured by Method 9 for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes as stated in Colorado Regulation No. 1, Section II, A.4. (Established directly in this Operating Permit in accordance with Section I, Condition 1.3 of this Operating Permit)

6.3.3 Once per calendar week when the engine is operating a non-Method 9 opacity observation shall be made for visible emissions from the engine. The non-Method 9 opacity observation shall be made for at least ten (10) consecutive minutes. The date, observation position, start and stop times, general weather conditions, name and title of the person performing the observation and the observation results shall be recorded in a log and made available for Division review upon request. A Method 9 opacity observation shall be performed when visible emissions are observed to persist for longer than six (6) consecutive minutes. A Method 9 opacity observation shall be required at any time visible emissions from the engine persist for longer than six (6) consecutive minutes.

6.3.4 An observer with a current and valid certification shall perform all Method 9 opacity observations. A clear and readable copy of the observer's certificate shall be kept on file with the copies of the Method 9 opacity observations. The record for each Method 9 opacity observation performed under this permit condition shall clearly and plainly identify whether the Method 9 observation recorded is for a stated special

condition or during routine operation. Copies of any Method 9 opacity observations exceeding the applicable standard shall be submitted with the next scheduled report.

6.3.5 If any of the Method 9 opacity observations exceed the applicable standard, additional observations must be performed. Subject to the provisions of §25-7-123.1, C.R.S., and in the absence of credible evidence to the contrary, exceedance of the limit shall be considered to exist from the time a Method 9 reading is taken that shows an exceedance of the opacity limit until a Method 9 reading is taken that shows the opacity is less than the opacity limit.

6.4 Any temporary engine/air compressor unit brought to the facility shall not exceed an 800 horsepower rating. The collective operating time for any and all temporary engine/air compressor units brought to the facility shall not exceed 3000 hours per year. (Established directly in this Operating Permit in accordance with Section I, Condition 1.3 of this Operating Permit)

SECTION III - Permit Shield

Regulation No. 3, 5 CCR 1001-5, Part C, §§ I.A.4, V.D. & XIII.B; § 25-7-114.4(3)(a), C.R.S.

1. Specific Non-Applicable Requirements

Based on the information available to the Division and supplied by the applicant, the following parameters and requirements have been specifically identified as non-applicable to the facility to which this permit has been issued. This shield does not protect the source from any violations that occurred prior to or at the time of permit issuance. In addition, this shield does not protect the source from any violations that occur as a result of any modifications or reconstruction on which construction commenced prior to permit issuance.

Emission Unit Description & Number	Applicable Requirement	Justification
B001and B002	Regulation No. 6, Part A - New Source Performance Standards, Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units	The units were in existence as of June 9, 1989.

2. General Conditions

Compliance with this Operating Permit shall be deemed compliance with all applicable requirements specifically identified in the permit and other requirements specifically identified in the permit as not applicable to the source. This permit shield shall not alter or affect the following:

2.1 The provisions of §§ 25-7-112 and 25-7-113, C.R.S., or § 303 of the federal act, concerning enforcement in cases of emergency;

2.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

2.3 The applicable requirements of the federal Acid Rain Program, consistent with § 408(a) of the federal act;

2.4 The ability of the Air Pollution Control Division to obtain information from a source pursuant to § 25-7-111(2)(I), C.R.S., or the ability of the Administrator to obtain information pursuant to § 114 of the federal act;

2.5 The ability of the Air Pollution Control Division to reopen the Operating Permit for cause pursuant to Regulation No. 3, Part C, § XIII.

2.6 Sources are not shielded from terms and conditions that become applicable to the source subsequent to permit issuance.

3. Stream-lined Conditions

The following applicable requirements have been subsumed within this operating permit using the pertinent streamlining procedures approved by the U.S. EPA. For purposes of the permit shield, compliance with the listed permit conditions will also serve as a compliance demonstration for purposes of the associated subsumed requirements.

No applicable requirements were streamlined out of this permit.

SECTION IV - General Permit Conditions

1. Administrative Changes

Regulation No. 3, 5 CCR 1001-5, Part A, § III.

The permittee shall submit an application for an administrative permit amendment to the Division for those permit changes that are described in Regulation No. 3, Part A, § I.B.1. The permittee may immediately make the change upon submission of the application to the Division.

2. Certification Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.9., V.C.16.a.& e. and V.C.17.

a. Any application, report, document and compliance certification submitted to the Air Pollution Control Division pursuant to Regulation No. 3 or the Operating Permit shall contain a certification by a responsible official of the truth, accuracy and completeness of such form, report or certification stating that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

b. All compliance certifications for terms and conditions in the Operating Permit shall be submitted to the Air Pollution Control Division at least annually unless a more frequent period is specified in the applicable requirement or by the Division in the Operating Permit.

c. Compliance certifications shall contain:

(i) the identification of each permit term and condition that is the basis of the certification;

(ii) the compliance status of the source;

(iii) whether compliance was continuous or intermittent;

(iv) method(s) used for determining the compliance status of the source, currently and over the reporting period; and

(v) such other facts as the Air Pollution Control Division may require to determine the compliance status of the source.

d. All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.

e. If the permittee is required to develop and register a risk management plan pursuant to § 112(r) of the federal act, the permittee shall certify its compliance with that requirement; the Operating Permit shall not incorporate the contents of the risk management plan as a permit term or condition.

3. Common Provisions

Common Provisions Regulation, 5 CCR 1001-2 §§ II.A., II.B., II.C., II,.E., II.F., II.I, and II.J

a. To Control Emissions Leaving Colorado

When emissions generated from sources in Colorado cross the State boundary line, such emissions shall not cause the air quality standards of the receiving State to be exceeded, provided reciprocal action is taken by the receiving State.

b. Emission Monitoring Requirements

The Division may require owners or operators of stationary air pollution sources to install, maintain, and use instrumentation to monitor and record emission data as a basis for periodic reports to the Division.

c. Performance Testing

The owner or operator of any air pollution source shall, upon request of the Division, conduct performance test(s) and furnish the Division a written report of the results of such test(s) in order to determine compliance with applicable emission control regulations.

Performance test(s) shall be conducted and the data reduced in accordance with the applicable reference test methods unless the Division:

(i) specifies or approves, in specific cases, the use of a test method with minor changes in methodology;

(ii) approves the use of an equivalent method;

(iii) approves the use of an alternative method the results of which the Division has determined to be adequate for indicating where a specific source is in compliance; or

(iv) waives the requirement for performance test(s) because the owner or operator of a source has demonstrated by other means to the Division's satisfaction that the affected facility is in compliance with the standard. Nothing in this paragraph shall be construed to abrogate the Commission's or Division's authority to require testing under the Colorado Revised Statutes, Title 25, Article 7, and pursuant to regulations promulgated by the Commission.

Compliance test(s) shall be conducted under such conditions as the Division shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Division such records as may be necessary to determine the conditions of the performance test(s). Operations during period of startup, shutdown, and malfunction shall not constitute representative conditions of performance test(s) unless otherwise specified in the applicable standard.

The owner or operator of an affected facility shall provide the Division thirty days prior notice of the performance test to afford the Division the opportunity to have an observer present. The Division may waive the thirty day notice requirement provided that arrangements satisfactory to the Division are made for earlier testing.

The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

i. Sampling ports adequate for test methods applicable to such facility;

(v) Safe sampling platform(s);

(vi) Safe access to sampling platform(s); and

(vii) Utilities for sampling and testing equipment.

Each performance test shall consist of at least three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic mean of results of at least three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the owner or operator's control, compliance may, upon the Division's approval, be determined using the arithmetic mean of the results of the two other runs.

Nothing in this section shall abrogate the Division's authority to conduct its own performance test(s) if so warranted.

d. Upset Conditions and Breakdowns

Upset conditions, as defined, shall not be deemed to be in violation of the Colorado regulations, provided that the Division is notified as soon as possible, but no later than two (2) hours after the start of the next working day, followed by a written notice to the Division explaining the cause of the occurrence and that proper action has been or is being taken to correct the conditions causing the violation and to prevent such excess emission in the future.

e. Circumvention Clause

A person shall not build, erect, install, or use any article, machine, equipment, condition, or any contrivance, the use of which, without resulting in a reduction in the total release of air pollutants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of this regulation. No person shall circumvent this regulation by using more openings than is considered normal practice by the industry or activity in question.

f. Compliance Certifications

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in the Colorado State Implementation Plan, nothing in the Colorado State Implementation Plan shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. Evidence that has the effect of making any relevant standard or permit term more stringent shall not be credible for proving a violation of the standard or permit term.

When compliance or non-compliance is demonstrated by a test or procedure provided by permit or other applicable requirement, the owner or operator shall be presumed to be in compliance or non-compliance unless other relevant credible evidence overcomes that presumption.

g. Affirmative Defense Provision for Excess Emissions During Startup and Shutdown

Note that until such time as the U.S. EPA approves this provision into the Colorado State Implementation Plan (SIP), it shall apply only to State-Only permit terms and conditions and shall be enforceable only by the State.

An affirmative defense is provided to owners and operators for civil penalty actions for excess emissions during periods of startup and shutdown. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of the evidence that:

(i) The periods of excess emissions that occurred during startup and shutdown were short and infrequent and could not have been prevented through careful planning and design;

(ii) The excess emissions were not part of a recurring pattern indicative of inadequate design, operation or maintenance;

(iii) If the excess emissions were caused by a bypass (an intentional diversion of control equipment), then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(iv) The frequency and duration of operation in startup and shutdown periods were minimized to the maximum extent practicable;

(v) All possible steps were taken to minimize the impact of excess emissions on ambient air quality;

(vi) All emissions monitoring systems were kept in operation (if at all possible);

(vii) The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence; and,

(viii) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This subparagraph is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement.

The owner or operator of the facility experiencing excess emissions during startup and shutdown shall notify the Division verbally as soon as possible, but no later than two (2) hours after the start of the next working day, and shall submit written quarterly notification following the initial occurrence of the excess emissions. The notification shall address the criteria set forth above.

The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.

The Affirmative Defense Provision does not apply to State Implementation Plan provisions or other requirements that derive from new source performance standards or national emissions standards for hazardous air pollutants, or any other federally enforceable performance standard or emission limit with an averaging time greater than twenty-four hours. In addition, an affirmative defense cannot be used by a single source or small group of sources where the excess emissions have the potential to cause an exceedance of the ambient air quality standards or Prevention of Significant Deterioration (PSD) increments.

In making any determination whether a source established an affirmative defense, the Division shall consider the information within the notification required above and any other information the Division deems necessary, which may include, but is not limited to, physical inspection of the facility and review of documentation pertaining to the maintenance and operation of process and air pollution control equipment.

4. Compliance Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.C.9., V.C.11. & 16.d. and § 25-7-122.1(2), C.R.S.

a. The permittee must comply with all conditions of the Operating Permit. Any permit noncompliance relating to federally-enforceable terms or conditions constitutes a violation of the federal act, as well as the state act and Regulation No. 3. Any permit noncompliance relating to state-only terms or conditions constitutes a violation of the state act and Regulation No. 3, shall be enforceable pursuant to state law, and shall not be enforceable by citizens under § 304 of the federal act. Any such violation of the federal act, the state act or regulations implementing either statute is grounds for enforcement action, for permit termination, revocation and reissuance or modification or for denial of a permit renewal application.

b. It shall not be a defense for a permittee in an enforcement action or a consideration in favor of a permittee in a permit termination, revocation or modification action or action denying a permit renewal application that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

c. The permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of any request by the permittee for a permit modification, revocation and reissuance, or termination, or any notification of planned changes or anticipated noncompliance does not stay any permit condition, except as provided in §§ X. and XI. of Regulation No. 3, Part C.

d. The permittee shall furnish to the Air Pollution Control Division, within a reasonable time as specified by the Division, any information that the Division may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Division copies of records required to be kept by the permittee, including information claimed to be confidential. Any information subject to a claim of confidentiality shall be specifically identified and submitted separately from information not subject to the claim.

e. Any schedule for compliance for applicable requirements with which the source is not in compliance at the time of permit issuance shall be supplemental, and shall not sanction noncompliance with, the applicable requirements on which it is based.

f. For any compliance schedule for applicable requirements with which the source is not in compliance at the time of permit issuance, the permittee shall submit, at least every 6 months unless a more frequent period is specified in the applicable requirement or by the Air Pollution Control Division, progress reports which contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule for compliance, and dates when such activities, milestones, or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

g. The permittee shall not knowingly falsify, tamper with, or render inaccurate any monitoring device or method required to be maintained or followed under the terms and conditions of the Operating Permit.

5. Emergency Provisions

Regulation No. 3, 5 CCR 1001-5, Part C, § VII.

An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed the technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. "Emergency" does not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. An emergency constitutes an affirmative defense to an enforcement action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. an emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. the permitted facility was at the time being properly operated;

c. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

d. the permittee submitted oral notice of the emergency to the Air Pollution Control Division no later than noon of the next working day following the emergency, and followed by written notice within one month of the time when emissions limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

This emergency provision is in addition to any emergency or upset provision contained in any applicable requirement.

6. Emission Standards for Asbestos

Regulation No. 8, 5 CCR 1001-10, Part B

The permittee shall not conduct any asbestos abatement activities except in accordance with the provisions of Regulation No. 8, Part B, "emission standards for asbestos."

7. Emissions Trading, Marketable Permits, Economic Incentives

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.13.

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are specifically provided for in the permit.

8. Fee Payment

C.R.S. §§ 25-7-114.1(6) and 25-7-114.7

a. The permittee shall pay an annual emissions fee in accordance with the provisions of C.R.S. § 25-7-114.7. A 1% per month late payment fee shall be assessed against any invoice amounts not paid in full on the 91st day after the date of invoice, unless a permittee has filed a timely protest to the invoice amount.

b. The permittee shall pay a permit processing fee in accordance with the provisions of C.R.S. § 25-7-114.7. If the Division estimates that processing of the permit will take more than 30 hours, it will notify the permittee of its estimate of what the actual charges may be prior to commencing any work exceeding the 30 hour limit.

c. The permittee shall pay an APEN fee in accordance with the provisions of C.R.S. § 25-7-114.1(6) for each APEN or revised APEN filed.

9. Fugitive Particulate Emissions

Regulation No. 1, 5 CCR 1001-3, § III.D.1.

The permittee shall employ such control measures and operating procedures as are necessary to minimize fugitive particulate emissions into the atmosphere, in accordance with the provisions of Regulation No. 1, § III.D.1.

10. Inspection and Entry

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.16.b.

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Air Pollution Control Division, or any authorized representative, to perform the following:

a. enter upon the permittee's premises where an Operating Permit source is located, or emissions-related activity is conducted, or where records must be kept under the terms of the permit;

b. have access to, and copy, at reasonable times, any records that must be kept under the conditions of the permit;

c. inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the Operating Permit;

d. sample or monitor at reasonable times, for the purposes of assuring compliance with the Operating Permit or applicable requirements, any substances or parameters.

11. Minor Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, §§ X. & XI.

The permittee shall submit an application for a minor permit modification before making the change requested in the application. The permit shield shall not extend to minor permit modifications.

12. New Source Review

Regulation No. 3, 5 CCR 1001-5, Part B

The permittee shall not commence construction or modification of a source required to be reviewed under the New Source Review provisions of Regulation No. 3, Part B, without first receiving a construction permit.

13. No Property Rights Conveyed

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.11.d.

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

14. Odor

Regulation No. 2, 5 CCR 1001-4, Part A

As a matter of state law only, the permittee shall comply with the provisions of Regulation No. 2 concerning odorous emissions.

15. Off-Permit Changes to the Source

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.B.

The permittee shall record any off-permit change to the source that causes the emissions of a regulated pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from the change, including any other data necessary to show compliance with applicable ambient air quality standards. The permittee shall provide contemporaneous notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit . The permit shield shall not apply to any off-permit change.

16. Opacity

Regulation No. 1, 5 CCR 1001-3, §§ I., II.

The permittee shall comply with the opacity emissions limitation set forth in Regulation No. 1, §§ I.-II.

17. Open Burning

Regulation No. 9, 5 CCR 1001-11

The permittee shall obtain a permit from the Division for any regulated open burning activities in accordance with provisions of Regulation No. 9.

18. Ozone Depleting Compounds

Regulation No. 15, 5 CCR 1001-17

The permittee shall comply with the provisions of Regulation No. 15 concerning emissions of ozone depleting compounds. Sections I., II.C., II.D., III. IV., and V. of Regulation No. 15 shall be enforced as a matter of state law only.

19. Permit Expiration and Renewal

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.6., IV.C., V.C.2.

a. The permit term shall be five (5) years. The permit shall expire at the end of its term. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted.

b. Applications for renewal shall be submitted at least twelve months, but not more than 18 months, prior to the expiration of the Operating Permit. An application for permit renewal may address only those portions of the permit that require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. A copy of any materials incorporated by reference must be included with the application.

20. Portable Sources

Regulation No. 3, 5 CCR 1001-5, Part C, § II.D.

Portable Source permittees shall notify the Air Pollution Control Division at least 10 days in advance of each change in location.

21. Prompt Deviation Reporting

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.7.b.

The permittee shall promptly report any deviation from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken.

"Prompt" is defined as follows:

a. Any definition of "prompt" or a specific timeframe for reporting deviations provided in an underlying applicable requirement as identified in this permit; or

b. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:

   i. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report shall be made within 24 hours of the occurrence;

   ii. For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continue for more than two hours in excess of permit requirements, the report shall be made within 48 hours; and

   iii. For all other deviations from permit requirements, the report shall be submitted every six (6) months, except as otherwise specified by the Division in the permit in accordance with paragraph 22.d. below.

c. If any of the conditions in paragraphs b.i or b.ii above are met, the source shall notify the Division by telephone (303-692-3155) or facsimile (303-782-0278) based on the timetables listed above. *[Explanatory note: Notification by telephone or facsimile must specify that this notification is a deviation report for an Operating Permit.]* A written notice, certified consistent with General Condition 2.a. above (Certification Requirements), shall be submitted within 10 working days of the occurrence. All deviations reported under this section shall also be identified in the 6-month report required above.

"Prompt reporting" does not constitute an exception to the requirements of "Emergency Provisions" for the purpose of avoiding enforcement actions.

22. Record Keeping and Reporting Requirements

Regulation No. 3, 5 CCR 1001-5, Part A, § II.; Part C, §§ V.C.6., V.C.7.

a. Unless otherwise provided in the source specific conditions of this Operating Permit, the permittee shall maintain compliance monitoring records that include the following information:

   (i) date, place as defined in the Operating Permit, and time of sampling or measurements;

   (ii) date(s) on which analyses were performed;

   (iii) the company or entity that performed the analysis;

   (iv) the analytical techniques or methods used;

(v) the results of such analysis; and

(vi) the operating conditions at the time of sampling or measurement.

b. The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report or application. Support information, for this purpose, includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit. With prior approval of the Air Pollution Control Division, the permittee may maintain any of the above records in a computerized form.

c. Permittees must retain records of all required monitoring data and support information for the most recent twelve (12) month period, as well as compliance certifications for the past five (5) years on-site at all times. A permittee shall make available for the Air Pollution Control Division's review all other records of required monitoring data and support information required to be retained by the permittee upon 48 hours advance notice by the Division.

d. The permittee shall submit to the Air Pollution Control Division all reports of any required monitoring at least every six (6) months, unless an applicable requirement, the compliance assurance monitoring rule, or the Division requires submission on a more frequent basis. All instances of deviations from any permit requirements must be clearly identified in such reports.

e. The permittee shall file an Air Pollutant Emissions Notice ("APEN") prior to constructing, modifying, or altering any facility, process, activity which constitutes a stationary source from which air pollutants are or are to be emitted, unless such source is exempt from the APEN filing requirements of Regulation No. 3, Part A, § II.D. A revised APEN shall be filed annually whenever a significant change in emissions, as defined in Regulation No. 3, Part A, § II.C.2., occurs; whenever there is a change in owner or operator of any facility, process, or activity; whenever new control equipment is installed; whenever a different type of control equipment replaces an existing type of control equipment; whenever a permit limitation must be modified; or before the APEN expires. An APEN is valid for a period of five years. The five-year period recommences when a revised APEN is received by the Air Pollution Control Division. Revised APENs shall be submitted no later than 30 days before the five-year term expires. Permittees submitting revised APENs to inform the Division of a change in actual emission rates must do so by April 30 of the following year. Where a permit revision is required, the revised APEN must be filed along with a request for permit revision. APENs for changes in control equipment must be submitted before the change occurs. Annual fees are based on the most recent APEN on file with the Division.

23. Reopenings for Cause

Regulation No. 3, 5 CCR 1001-5, Part C, § XIII.

a. The Air Pollution Control Division shall reopen, revise, and reissue Operating Permits; permit reopenings and reissuance shall be processed using the procedures set forth in Regulation No. 3, Part C, § III., except that proceedings to reopen and reissue permits affect only those parts of the permit for which cause to reopen exists.

b. The Division shall reopen a permit whenever additional applicable requirements become applicable to a major source with a remaining permit term of three or more years, unless the effective date of the requirements is later than the date on which the permit expires, or unless a general permit is obtained to address the new requirements; whenever additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program; whenever the Division determines 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; or whenever the Division determines that the permit must be revised or revoked to assure compliance with an applicable requirement.

c. The Division shall provide 30 days' advance notice to the permittee of its intent to reopen the permit, except that a shorter notice may be provided in the case of an emergency.

d. The permit shield shall extend to those parts of the permit that have been changed pursuant to the reopening and reissuance procedure.

24. Section 502(b)(10) Changes

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.A.

The permittee shall provide a minimum 7-day advance notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit. The permittee shall attach a copy of each such notice given to its Operating Permit.

25. Severability Clause

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.10.

In the event of a challenge to any portion of the permit, all emissions limits, specific and general conditions, monitoring, record keeping and reporting requirements of the permit, except those being challenged, remain valid and enforceable.

26. Significant Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, §III.B.2.

The permittee shall not make a significant modification required to be reviewed under Regulation No. 3, Part B ("Construction Permit" requirements) without first receiving a construction permit. The permittee shall submit a complete Operating Permit application or application for an Operating Permit revision for any new or modified source within twelve months of commencing operation, to the address listed in Item 1 in Appendix D of this permit. If the permittee chooses to use the "Combined Construction/Operating Permit" application procedures of Regulation No. 3, Part C, then the Operating Permit must be received prior to commencing construction of the new or modified source.

27. Special Provisions Concerning the Acid Rain Program

Regulation No. 3, 5 CCR 1001-5, Part C, §§ V.C.1.b. & 8

a. Where an applicable requirement of the federal act is more stringent than an applicable requirement of regulations promulgated under Title IV of the federal act, 40 Code of Federal Regulations (CFR) Part 72, both provisions shall be incorporated into the permit and shall be federally enforceable.

b. Emissions exceeding any allowances that the source lawfully holds under Title IV of the federal act or the regulations promulgated thereunder, 40 CFR Part 72, are expressly prohibited.

28. Transfer or Assignment of Ownership

Regulation No. 3, 5 CCR 1001-5, Part C, § II.C.

No transfer or assignment of ownership of the Operating Permit source will be effective unless the prospective owner or operator applies to the Air Pollution Control Division on Division-supplied Administrative Permit Amendment forms, for reissuance of the existing Operating Permit. No administrative permit shall be complete until a written agreement containing a specific date for transfer of permit, responsibility, coverage, and liability between the permittee and the prospective owner or operator has been submitted to the Division.

29. Volatile Organic Compounds

Regulation No. 7, 5 CCR 1001-9, §§ III & V.

a. For sources located in an ozone non-attainment area or the Denver Metro Attainment Maintenance Area, all storage tank gauging devices, anti-rotation devices, accesses, seals, hatches, roof drainage systems, support structures, and pressure relief valves shall be maintained and operated to prevent detectable vapor loss except when opened,

actuated, or used for necessary and proper activities (e.g. maintenance). Such opening, actuation, or use shall be limited so as to minimize vapor loss.

Detectable vapor loss shall be determined visually, by touch, by presence of odor, or using a portable hydrocarbon analyzer. When an analyzer is used, detectable vapor loss means a VOC concentration exceeding 10,000 ppm. Testing shall be conducted as in Regulation No. 7, Section VIII.C.3.

Except when otherwise provided by Regulation No. 7, all volatile organic compounds, excluding petroleum liquids, transferred to any tank, container, or vehicle compartment with a capacity exceeding 212 liters (56 gallons), shall be transferred using submerged or bottom filling equipment. For top loading, the fill tube shall reach within six inches of the bottom of the tank compartment. For bottom-fill operations, the inlet shall be flush with the tank bottom.

b. The permittee shall not dispose of volatile organic compounds by evaporation or spillage unless Reasonably Available Control Technology (RACT) is utilized.

c. No owner or operator of a bulk gasoline terminal, bulk gasoline plant, or gasoline dispensing facility as defined in Colorado Regulation No. 7, Section VI, shall permit gasoline to be intentionally spilled, discarded in sewers, stored in open containers, or disposed of in any other manner that would result in evaporation.

30. Wood Stoves and Wood burning Appliances

Regulation No. 4, 5 CCR 1001-6

The permittee shall comply with the provisions of Regulation No. 4 concerning the advertisement, sale, installation, and use of wood stoves and wood burning appliances.

OPERATING PERMIT APPENDICES

A - INSPECTION INFORMATION
B - MONITORING AND PERMIT DEVIATION REPORT
C - COMPLIANCE CERTIFICATION REPORT
D - NOTIFICATION ADDRESSES
E - PERMIT ACRONYMS
F - PERMIT MODIFICATIONS

*DISCLAIMER:

None of the information found in these Appendices shall be considered to be State or Federally enforceable, except as otherwise provided in the permit, and is presented to assist the source, permitting authority, inspectors, and citizens.

APPENDIX A - Inspection Information

Directions to Plant:

Metal Container Corporation's Windsor Facility is located southeast of Windsor on the north side of County Road 66 in the Windsor Industrial Park, Weld County.

Safety Equipment Required:

Eye Protection and Hearing Protection

Facility Plot Plan:

Figure 1 (following page) shows the plot plan as submitted on February 23, 1996 with the source's Title V Operating Permit Application.

List of Insignificant Activities:

The following list of insignificant activities was provided by the source to assist in the understanding of the facility layout. Since there is no requirement to update such a list, activities may have changed since the last filing.

Insignificant activities and/or sources of emissions as submitted in the application are as follows:

Lime Silo
Oil Separation and holding tanks
Bodymaker coolant storage tank
Washer chemical storage tank
Wastewater treatment tank
Sulfuric Acid Bulk Tank
Inker Cleaner
Ink Dot Identification System/Clean-up
Hydraulic oil (bodymaker) bulk tank
Copper lube tank
Propane cylinders
Diesel storage tank.
Building heaters/water heaters
Line No. 1 Drying/Curing Ovens, 1.45 MMBtu/hr (2), 3.08 MM Btu/hr (1
Line No. 2 Drying/Curing Ovens, 1.45 MMBtu/hr (2), 3.08 MMBtu/hr (1).
Fourteen (14) natural gas heaters, rated less than 5 MMBtu/hr
Two (2) can washers with natural gas dryers, rated at 3.17 MMBtu/hr
Internal combustion engine powering an emergency water pump
Three (3) natural gas heaters for space heating, 6.2 MMBtu/hr (2), 7.4 MMBtu/hr

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APPENDIX B

Reporting Requirements and Definitions

with codes ver 6/1/06

Please note that, pursuant to 113(c)(2) of the federal Clean Air Act, any person who knowingly:

(A) makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file or maintain any notice, application, record, report, plan, or other document required pursuant to the Act to be either filed or maintained (whether with respect to the requirements imposed by the Administrator or by a State);

(B) fails to notify or report as required under the Act; or

(C) falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained or followed under the Act shall, upon conviction, be punished by a fine pursuant to title 18 of the United States Code, or by imprisonment for not more than 2 years, or both. If a conviction of any person under this paragraph is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both the fine and imprisonment.

The permittee must comply with all conditions of this operating permit. Any permit noncompliance 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.

The Part 70 Operating Permit program requires three types of reports to be filed for all permits.
All required reports must be certified by a responsible official.

Report #1: Monitoring Deviation Report (due at least every six months)

For purposes of this operating permit, the Division is requiring that the monitoring reports are due every six months unless otherwise noted in the permit. All instances of deviations from permit monitoring requirements must be clearly identified in such reports.

For purposes of this operating permit, monitoring means any condition determined by observation, by data from any monitoring protocol, or by any other monitoring which is required by the permit as well as the recordkeeping associated with that monitoring. This would include, for example, fuel use or process rate monitoring, fuel analyses, and operational or control device parameter monitoring.

Report #2: Permit Deviation Report (must be reported "promptly")

In addition to the monitoring requirements set forth in the permits as discussed above, each and every requirement of the permit is subject to deviation reporting. The reports must address deviations from permit requirements, including those attributable to upset conditions and malfunctions as defined in this Appendix, the probable cause of such deviations, and any corrective actions or preventive measures taken. All deviations from

any term or condition of the permit are required to be summarized or referenced in the annual compliance certification.

For purposes of this operating permit, "upset" shall refer to both emergency conditions and upsets. Additional discussion on these conditions is provided later in this Appendix.

For purposes of this operating permit, the Division is requiring that the permit deviation reports are.due as set forth in General Condition 21. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. For example, quarterly Excess Emission Reports required by an NSPS or Regulation No. 1, Section IV.

In addition to the monitoring deviations discussed above, included in the meaning of deviation for the purposes of this operating permit are any of the following:

(1) A situation where emissions exceed an emission limitation or standard contained in the permit;

(2) A situation where process or control device parameter values demonstrate that an emission limitation or standard contained in the permit has not been met;

(3) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or,

(4) A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only if the emission point is subject to CAM)

For reporting purposes, the Division has combined the Monitoring Deviation Report with the Permit Deviation Report. All deviations shall be reported using the following codes:

1 = Standard:	When the requirement is an emission limit or standard
2 = Process:	When the requirement is a production/process limit
3 = Monitor:	When the requirement is monitoring
4 = Test:	When the requirement is testing
5 = Maintenance:	When required maintenance is not performed
6 = Record:	When the requirement is recordkeeping
7 = Report:	When the requirement is reporting
8 = CAM:	A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred.
9 = Other:	When the deviation is not covered by any of the above categories

Report #3: Compliance Certification (annually, as defined in the permit)

Submission of compliance certifications with terms and conditions in the permit, including emission limitations, standards, or work practices, is required not less than annually.

Compliance Certifications are intended to state the compliance status of each requirement of the permit over the certification period. They must be based, at a minimum, on the testing and monitoring methods specified in the permit that were conducted during the relevant time period. In addition, if the owner or operator knows of other material information (i.e. information beyond required monitoring that has been specifically assessed in relation to how the information potentially affects compliance status), that information must be identified and addressed in the compliance certification. The compliance certification must include the following:

- The identification of each term or condition of the permit that is the basis of the certification;

- Whether or not the method(s) used by the owner or operator for determining the compliance status with each permit term and condition during the certification period was the method(s) specified in the permit. Such methods and other means shall include, at a minimum, the methods and means required in the permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Clean Air Act, which prohibits knowingly making a false certification or omitting material information;

- The status of compliance with the terms and conditions of the permit, and whether compliance was continuous or intermittent. The certification shall identify each deviation and take it into account in the compliance certification. Note that not all deviations are considered violations.[1]

- Such other facts as the Division may require, consistent with the applicable requirements to which the source is subject, to determine the compliance status of the source.

The Certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only for emission points subject to CAM)

Note the requirement that the certification shall identify each deviation and take it into account in the compliance certification. Previously submitted deviation reports, including the deviation report submitted at the time of the annual certification, may be referenced in the compliance certification.

[1] For example, given the various emissions limitations and monitoring requirements to which a source may be subject, a deviation from one requirement may not be a deviation under another requirement which recognizes an exception and/or special circumstances relating to that same event. Further, periods of excess emissions during startup, shutdown and malfunction may not be found to be a violation of an emission limitation or standard where the source adequately shows that any potential deviations as a result of these infrequent periods were minimized to the extent practicable and could not have been prevented through careful planning, design, or were unavoidable to prevent loss of life, personal injury, or severe property damage.

Startup, Shutdown, Malfunctions, Emergencies, and Upsets

Understanding the application of Startup, Shutdown, Malfunctions, Emergency provisions, and the Upset provisions is very important in both the deviation reports and the annual compliance certifications.

Startup, Shutdown, and Malfunctions

Please note that exceedances of some New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) standards that occur during Startup, Shutdown or Malfunctions may not be considered to be non-compliance since emission limits or standards often do not apply unless specifically stated in the NSPS. Such exceedances must, however, be reported as excess emissions per the NSPS/MACT rules and would still be noted in the deviation report. In regard to compliance certifications, the permittee should be confident of the information related to those deviations when making compliance determinations since they are subject to Division review. The concepts of Startup, Shutdown and Malfunctions also exist for Best Available Control Technology (BACT) sources, but are not applied in the same fashion as for NSPS and MACT sources.

Emergencies and Upsets

Under the Emergency provisions of Part 70 and the Upset provisions of the State regulations, certain operational conditions may act as an affirmative defense against enforcement action if they are properly reported.

DEFINITIONS

Malfunction (NSPS) means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Malfunction (SIP) means any sudden and unavoidable failure of air pollution control equipment or process equipment or unintended failure of a process to operate in a normal or usual manner. Failures that are primarily caused by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

Emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

Upset means an unpredictable failure of air pollution control or process equipment which results in the violation of emission control regulations and which is not due to poor maintenance, improper or careless operations, or is otherwise preventable through exercise of reasonable care.

APPENDIX B: Monitoring and Permit Deviation Report - Part I

1. Following is the **required** format for the Monitoring and Permit Deviation report to be submitted to the Division as set forth in General Condition 21. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

2. Part II of this Appendix B shows the format and information the Division will require for describing periods of monitoring and permit deviations, or upset or emergency conditions as indicated in the Table below. One Part II Form must be completed for each Deviation. Previously submitted reports (e.g. EER's or Upsets) may be referenced and the form need not be filled out in its entirety.

FACILITY NAME: Metal Container Corporation – Windsor Facility
OPERATING PERMIT NO: 96OPWE162
REPORTING PERIOD:_____ (see first page of the permit for specific reporting period and dates)

Operating Permit Unit ID	Unit Description	Deviations noted During Period?[1]		Deviation Code [2]	Upset/Emergency Condition Reported During Period?	
		YES	NO		YES	NO
	Fuel Combustion Sources.					
	Can Forming Operations					
	Can Coating Operations					
	Aluminum Scrap					
	Temporary Diesel Engine/Air Compressor Unit					
General Conditions						
Insignificant Activities						

[1] See previous discussion regarding what is considered to be a deviation. Determination of whether or not a deviation has occurred shall be based on a reasonable inquiry using readily available information.

[2] Use the following entries, as appropriate

1 = Standard: When the requirement is an emission limit or standard
2 = Process: When the requirement is a production/process limit
3 = Monitor: When the requirement is monitoring
4 = Test: When the requirement is testing
5 = Maintenance: When required maintenance is not performed
6 = Record: When the requirement is recordkeeping
7 = Report: When the requirement is reporting

8 = CAM: A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred.

9 = Other: When the deviation is not covered by any of the above categories

APPENDIX B: Monitoring and Permit Deviation Report - Part II

FACILITY NAME: Metal Container Corporation – Windsor Facility
OPERATING PERMIT NO: 96OPWE162
REPORTING PERIOD:

Is the deviation being claimed as an: Emergency _____ Upset _____ N/A

(For NSPS/MACT) Did the deviation occur during: Startup _____ Shutdown _____ Malfunction _____

Normal Operation _____

OPERATING PERMIT UNIT IDENTIFICATION:

Operating Permit Condition Number Citation

Explanation of Period of Deviation

Duration (start/stop date & time)

Action Taken to Correct the Problem

Measures Taken to Prevent a Reoccurrence of the Problem

Dates of Upsets/Emergencies Reported (if applicable)

Deviation Code _____ Division Code QA: _____

SEE EXAMPLE ON THE NEXT PAGE

EXAMPLE

FACILITY NAME: Acme Corp.
OPERATING PERMIT NO: 96OPZZXXX
REPORTING PERIOD: 1/1/04 - 6/30/04

Is the deviation being claimed as an: Emergency _____ Upset __XX____ N/A

(For NSPS/MACT) Did the deviation occur during: Startup _____ Shutdown _____ Malfunction
Normal Operation _____

OPERATING PERMIT UNIT IDENTIFICATION:

Asphalt Plant with a Scrubber for Particulate Control - Unit XXX

Operating Permit Condition Number Citation

Section II, Condition 3.1 - Opacity Limitation

Explanation of Period of Deviation

Slurry Line Feed Plugged

Duration

START- 1730 4/10/96
END- 1800 4/10/96

Action Taken to Correct the Problem

Line Blown Out

Measures Taken to Prevent Reoccurrence of the Problem

Replaced Line Filter

Dates of Upsets/Emergencies Reported (if applicable)

5/30/04 to A. Einstein, APCD

Deviation Code _____ Division Code QA: _____

APPENDIX B: Monitoring and Permit Deviation Report - Part III

REPORT CERTIFICATION

SOURCE NAME: Metal Container Corporation – Windsor Facility

FACILITY IDENTIFICATION NUMBER: 1230134

PERMIT NUMBER: 96OPWE162

REPORTING PERIOD:_____ (see first page of the permit for specific reporting period and dates)

All information for the Title V Semi-Annual Deviation Reports must be certified by a responsible official as defined in Colorado Regulation No. 3, Part A, Section I.B.38. This signed certification document must be packaged with the documents being submitted.

STATEMENT OF COMPLETENESS

I have reviewed the information being submitted in its entirety and, based on information and belief formed after reasonable inquiry, I certify that the statements and information contained in this submittal are true, accurate and complete.

Please note that the Colorado Statutes state that any person who knowingly, as defined in Sub-Section 18-1-501(6), C.R.S., makes any false material statement, representation, or certification in this document is guilty of a misdemeanor and may be punished in accordance with the provisions of Sub-Section 25-7 122.1, C.R.S.

Printed or Typed Name | Title

Signature of Responsible Official | Date Signed

Note: Deviation reports shall be submitted to the Division at the address given in Appendix D of this permit. No copies need be sent to the U.S. EPA.

APPENDIX C

Required Format for Annual Compliance Certification Reports

Following is the format for the Compliance Certification report to be submitted to the Division and the U.S. EPA annually based on the effective date of the permit. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

FACILITY NAME: Metal Container Corporation – Windsor Facility

OPERATING PERMIT NO: 96OPWE162
REPORTING PERIOD:

I. Facility Status

___ During the entire reporting period, this source was in compliance with **ALL** terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference. The method(s) used to determine compliance is/are the method(s) specified in the Permit.

___ With the possible exception of the deviations identified in the table below, this source was in compliance with all terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference, during the entire reporting period. The method used to determine compliance for each term and condition is the method specified in the Permit, unless otherwise indicated and described in the deviation report(s). Note that not all deviations are considered violations.

Operating Permit Unit ID	Unit Description	Deviations Reported [1]		Monitoring Method per Permit?[2]		Was compliance continuous or intermittent?[3]	
		Previous	Current	YES	NO	Continuous	Intermittent
	Fuel Combustion Sources.						
	Can Forming Operations						
	Can Coating Operations						
	Aluminum Scrap						
	Temporary Diesel Engine/Air Compressor Unit						
General Conditions							
Insignificant Activities [4]							

[1] If deviations were noted in a previous deviation report , put an "X" under "previous". If deviations were noted in the current deviation report (i.e. for the last six months of the annual reporting period), put an "X" under "current". Mark both columns if both apply.

[2] Note whether the method(s) used to determine the compliance status with each term and condition was the method(s) specified in the permit. If it was not, mark "no" and attach additional information/explanation.

[3] Note whether the compliance status with of each term and condition provided was continuous or intermittent. "Intermittent Compliance" can mean either that noncompliance has occurred or that the owner or operator has data sufficient to certify compliance only on an intermittent basis. Certification of intermittent compliance therefore does not necessarily mean that any noncompliance has occurred.

NOTE:

The Periodic Monitoring requirements of the Operating Permit program rule are intended to provide assurance that even in the absence of a continuous system of monitoring the Title V source can demonstrate whether it has operated in continuous compliance for the duration of the reporting period. Therefore, if a source 1) conducts all of the monitoring and recordkeeping required in its permit, even if such activities are done periodically and not continuously, and if 2) such monitoring and recordkeeping does not indicate non-compliance, and if 3) the Responsible Official is not aware of any credible evidence that indicates non-compliance, then the Responsible Official can certify that the emission point(s) in question were in continuous compliance during the applicable time period.

[4] Compliance status for these sources shall be based on a reasonable inquiry using readily available information.

II. Status for Accidental Release Prevention Program:

A. This facility _____ is subject _____ is not subject to the provisions of the Accidental Release Prevention Program (Section 112(r) of the Federal Clean Air Act)

B. If subject: The facility _____ is _____ is not in compliance with all the requirements of section 112(r).

1. A Risk Management Plan _____ will be _____ has been submitted to the appropriate authority and/or the designated central location by the required date.

III. Certification

All information for the Annual Compliance Certification must be certified by a responsible official as defined in Colorado Regulation No. 3, Part A, Section I.B.38. This signed certification document must be packaged with the documents being submitted.

I have reviewed this certification in its entirety and, based on information and belief formed after reasonable inquiry, I certify that the statements and information contained in this certification are true, accurate and complete.

Please note that the Colorado Statutes state that any person who knowingly, as defined in § 18-1-501(6), C.R.S., makes any false material statement, representation, or certification in this document is guilty of a misdemeanor and may be punished in accordance with the provisions of § 25-7 122.1, C.R.S.

_____

Printed or Typed Name Title

_____

Signature Date Signed

NOTE: All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.

APPENDIX D

Notification Addresses

1. **Air Pollution Control Division**

Colorado Department of Public Health and Environment
Air Pollution Control Division
Operating Permits Unit
APCD-SS-B1
4300 Cherry Creek Drive S.
Denver, CO 80246-1530

ATTN: Jim King

2. **United States Environmental Protection Agency**

Compliance Notifications:

Office of Enforcement, Compliance and Environmental Justice
Mail Code 8ENF-T
U.S. Environmental Protection Agency, Region VIII
999 18th Street, Suite 300
Denver, CO 80202

Permit Modifications, Off Permit Changes:

Office of Partnerships and Regulatory Assistance
Air and Radiation Programs, 8P-AR
U.S. Environmental Protection Agency, Region VIII
999 18th Street, Suite 300
Denver, CO 80202

APPENDIX E

Permit Acronyms

Listed Alphabetically:

AIRS -	Aerometric Information Retrieval System
AP-42 -	EPA Document Compiling Air Pollutant Emission Factors
APEN -	Air Pollution Emission Notice (State of Colorado)
APCD -	Air Pollution Control Division (State of Colorado)
ASTM -	American Society for Testing and Materials
BACT -	Best Available Control Technology
BTU -	British Thermal Unit
CAA -	Clean Air Act (CAAA = Clean Air Act Amendments)
CCR -	Colorado Code of Regulations
CEM -	Continuous Emissions Monitor
CF -	Cubic Feet (SCF = Standard Cubic Feet)
CFR -	Code of Federal Regulations
CO -	Carbon Monoxide
COM -	Continuous Opacity Monitor
CRS -	Colorado Revised Statute
EF -	Emission Factor
EPA -	Environmental Protection Agency
FI -	Fuel Input Rate in Lbs/mmBtu
FR -	Federal Register
G -	Grams
Gal -	Gallon
GPM -	Gallons per Minute
HAPs -	Hazardous Air Pollutants
HP -	Horsepower
HP-HR -	Horsepower Hour (G/HP-HR = Grams per Horsepower Hour)
LAER -	Lowest Achievable Emission Rate
LBS -	Pounds
M -	Thousand
MM -	Million
MMscf -	Million Standard Cubic Feet
MMscfd -	Million Standard Cubic Feet per Day
N/A or NA -	Not Applicable
NOx -	Nitrogen Oxides
NESHAP -	National Emission Standards for Hazardous Air Pollutants
NSPS -	New Source Performance Standards
P -	Process Weight Rate in Tons/Hr
PE -	Particulate Emissions
PM -	Particulate Matter
PM_{10} -	Particulate Matter Under 10 Microns

PSD -	Prevention of Significant Deterioration
PTE -	Potential To Emit
RACT -	Reasonably Available Control Technology
SCC -	Source Classification Code
SCF -	Standard Cubic Feet
SIC -	Standard Industrial Classification
SO_2 -	Sulfur Dioxide
TPY -	Tons Per Year
TSP -	Total Suspended Particulate
VOC -	Volatile Organic Compounds

APPENDIX F

Permit Modifications

DATE OF REVISION	TYPE OF MODIFICATION	SECTION NUMBER, CONDITION NUMBER	DESCRIPTION OF REVISION
September 1, 2006 (Permit Issuance)	Minor Modification	Section I, Condition 6	Addition of one new bodymaker and one new inside spray machine.
September 1, 2006	Significant Modification	Section II, Condition 3	Added Synthetic Minor HAP limits to the permit.
		Section II, Condition 5	Added a requirement to track HAP emissions from insignificant activities.
		Section II, Condition 4.2	Increased aluminum scrap throughput limit