



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 1-4728-00254/00001  
Mod 0 Effective Date: 08/21/2017 Expiration Date: 08/20/2027  
Mod 1 Effective Date: 09/14/2018 Expiration Date: 08/20/2027

Permit Issued To: SCATT MATERIALS CORP  
44 S 4TH ST  
BAY SHORE, NY 11706

Contact: THOMAS PRATT  
SCATT MATERIALS CORP  
44 S 4TH ST  
BAY SHORE, NY 11706  
(631) 586-0554

Facility: SCATT MATERIALS CORP  
44 S 4TH ST  
BAY SHORE, NY 11706

Description:  
Department initiated modification. The modification involves replacing capping condition 17(NYCRR 201-5.1 (a)(1) with NYCRR 201-7.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: SUSAN ACKERMAN  
NYSDEC - REGION 1 SUNY @ STONY BROOK  
50 CIRCLE RD  
STONY BROOK, NY 11790-3409

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

**Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
- Applications for permit renewals, modifications and transfers
- Permit modifications, suspensions or revocations by the Department

**Facility Level**

- Submission of application for permit modification or renewal -  
REGION 1 HEADQUARTERS



**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 1-1:**

**Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 1-1.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 1-1.2:**

The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

**Item 1-1.3**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.



**Condition 3: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 3.1:**

The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 4: Submission of application for permit modification or renewal - REGION 1 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 4.1:**

Applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409  
(631) 444-0365

**New York State Department of Environmental Conservation**

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254



**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY  
PERMIT**

**IDENTIFICATION INFORMATION**

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44 S 4TH ST  
BAY SHORE, NY 11706

Facility: SCATT MATERIALS CORP  
44 S 4TH ST  
BAY SHORE, NY 11706

Authorized Activity By Standard Industrial Classification Code:  
2951 - PAVING MIXTURES AND BLOCKS

Mod 0 Permit Effective Date: 08/21/2017

Permit Expiration Date: 08/20/2027

Mod 1 Permit Effective Date: 09/14/2018

Permit Expiration Date: 08/20/2027



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.4 (e): Compliance Demonstration
- 3 6 NYCRR 200.7: Maintenance of Equipment
- 4 6 NYCRR 200.7: Compliance Demonstration
- 1-1 6 NYCRR 201-7.1: Facility Permissible Emissions
- \*1-2 6 NYCRR 201-7.1: Capping Monitoring Condition
- 5 6 NYCRR 211.1: Air pollution prohibited
- 6 6 NYCRR 212-2.5 (b): Compliance Demonstration
- 7 6 NYCRR 212-4.1 (a) (1): Compliance Demonstration
- 8 6 NYCRR 212-4.1 (a) (2): Compliance Demonstration
- 9 6 NYCRR 225-1.2 (h): Compliance Demonstration

#### Emission Unit Level

- 10 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

#### **EU=U-00001,EP=00001,Proc=001,ES=00020**

- 11 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
- 12 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration
- 13 40CFR 60.93(b), NSPS Subpart I: Test Methods and Procedures

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 14 ECL 19-0301: Contaminant List
- 15 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 16 6 NYCRR Subpart 201-5: Emission Unit Definition
- 18 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 19 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 20 6 NYCRR 211.2: Visible Emissions Limited

#### Emission Unit Level

- 21 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 22 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications,





required to operate such device effectively.

**Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2**

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Item E: Recycling and Salvage - 6 NYCRR 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Item F: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8**

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Item G: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item H: Proof of Eligibility for Sources Defined as Trivial**



**Activities - 6 NYCRR 201-3.3 (a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item I: Required Emission Tests - 6 NYCRR 202-1.1**

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

**Item J: Open Fires Prohibitions - 6 NYCRR 215.2**

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item K: Permit Exclusion - ECL 19-0305**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

**Item L: Federally Enforceable Requirements - 40 CFR 70.6 (b)**



All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Compliance Demonstration**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (e)**

**Item 2.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status

**New York State Department of Environmental Conservation**

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254



of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;

- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and

- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Stationary Source Compliance Section  
USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
NYSDEC- Region 1 Headquarters  
Stony Brook University



**New York State Department of Environmental Conservation**

**Permit ID: 1-4728-00254/00001**

**Facility DEC ID: 1472800254**

50 Circle Road  
Stony Brook, NY 11790-3409

The address for the BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2018.  
Subsequent reports are due on the same day each year

**Condition 3: Maintenance of Equipment**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 3.1:**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Condition 4: Compliance Demonstration**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 4.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY075-00-0 PARTICULATES

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility shall monitor the operating pressure drop across the baghouse. All instruments and control equipment shall be calibrated, maintained and operated according to the manufacturer's recommendations.

The facility shall check and record the pressure drop across the baghouse filter once per operating day during



**New York State Department of Environmental Conservation**

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254

aggregate drying operations. The pressure drop shall be maintained according to manufacturer's specifications

Manufacturer Name/Model Number: Gencore  
Parameter Monitored: PRESSURE DROP  
Lower Permit Limit: 1 inches of water  
Upper Permit Limit: 6 inches of water  
Monitoring Frequency: DAILY  
Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED RANGE AT ANY TIME  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2018.  
Subsequent reports are due every 12 calendar month(s).

**Condition 1-1: Facility Permissible Emissions**  
**Effective between the dates of 09/14/2018 and 08/20/2027**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 1-1.1:**  
The sum of emissions from the emission units specified in this permit shall not equal or exceed the following Potential To Emit (PTE) rate for each regulated contaminant:

per year	CAS No: 0NY210-00-0 (From Mod 1)	PTE: 48,147 pounds
	Name: OXIDES OF NITROGEN	
per year	CAS No: 0NY998-00-0 (From Mod 1)	PTE: 34,561 pounds
	Name: VOC	

**Condition 1-2: Capping Monitoring Condition**  
**Effective between the dates of 09/14/2018 and 08/20/2027**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 1-2.1:**  
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

**Item 1-2.2:**  
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 1-2.3:**



**New York State Department of Environmental Conservation**

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 1-2.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 1-2.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 1-2.6:**

The Compliance Demonstration activity will be performed for the facility:  
The Compliance Demonstration applies to:

Emission Unit: U-00001

Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 0NY998-00-0

VOC

CAS No: 0NY210-00-0

OXIDES OF NITROGEN

**Item 1-2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Based on AP-42 Model, the facility is capped at an annual asphalt mix production rate of 700,000 tons to meet a 24.5 ton/year cap for NOx and VOCs. This shall be justified from daily and monthly records of asphalt mix produced.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALT

Upper Permit Limit: 700,000 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2019.

Subsequent reports are due every 12 calendar month(s).



**Condition 5: Air pollution prohibited**  
Effective between the dates of 08/21/2017 and 08/20/2027

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 5.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 6: Compliance Demonstration**  
Effective between the dates of 08/21/2017 and 08/20/2027

**Applicable Federal Requirement:6 NYCRR 212-2.5 (b)**

**Item 6.1:**

The Compliance Demonstration activity will be performed for the facility:  
The Compliance Demonstration applies to:

Emission Unit: U-00001 Emission Point: 00001  
Process: 001 Emission Source: 00020

Regulated Contaminant(s):  
CAS No: 0NY075-00-0 PARTICULATES

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility shall conduct stack testing, using Method 5, to demonstrate compliance with particulate emission standards.

Within 60 days of the effective date of this permit, a test protocol shall be submitted to the Department for review.

Within 180 days of the effective date of this permit, the testing shall be completed.

Attainment of this standard qualifies as compliance with NSPS Subpart I.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: 0.030 grains per dscf





**New York State Department of Environmental Conservation**

**Permit ID: 1-4728-00254/00001**

**Facility DEC ID: 1472800254**

Reference Test Method: EPA Method 5  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2018.  
Subsequent reports are due every 12 calendar month(s).

**Condition 7: Compliance Demonstration**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:6 NYCRR 212-4.1 (a) (1)**

**Item 7.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 7.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A tune-up must be performed on the dryer burner on an annual basis at any hot mix asphalt production plant that is in operation during that calendar year.

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2018.  
Subsequent reports are due every 12 calendar month(s).

**Condition 8: Compliance Demonstration**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:6 NYCRR 212-4.1 (a) (2)**

**Item 8.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must have a plan which details the introduction or continuation of methods by which to reduce the moisture content of the aggregate stockpile(s). The facility shall perform self-inspections to monitor compliance with the plan.

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.

New York State Department of Environmental Conservation

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254



The initial report is due 1/30/2018.  
Subsequent reports are due every 12 calendar month(s).

**Condition 9: Compliance Demonstration**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:6 NYCRR 225-1.2 (h)**

**Item 9.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.0015 percent by weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

\*\*\*\* Emission Unit Level \*\*\*\*

**Condition 10: Compliance Demonstration**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:40CFR 60.92(a)(2), NSPS Subpart I**

**Item 10.1:**

**New York State Department of Environmental Conservation**

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254



The Compliance Demonstration activity will be performed for the facility:  
The Compliance Demonstration applies to:

Emission Unit: U-00001  
Process: 001

Emission Point: 00001

Emission Unit: U-00002  
Process: 002

Emission Point: 00002

Emission Unit: U-00002  
Process: 002

Emission Point: 00003

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater. Performance testing to demonstrate the compliance status of this emission source shall be performed at the monitoring frequency shown below.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: MINIMUM - ONCE PER CALENDAR YEAR

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2018.

Subsequent reports are due every 12 calendar month(s).

**Condition 11: Compliance Demonstration**

**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:40CFR 60.92(a)(1), NSPS Subpart I**

**Item 11.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001  
Process: 001

Emission Point: 00001  
Emission Source: 00020

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

**New York State Department of Environmental Conservation**

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254



**Monitoring Description:**

Emissions of solid particulates are limited to less than 0.04 ( 90 mg/dscm ) grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2018.

Subsequent reports are due every 12 calendar month(s).

**Condition 12: Compliance Demonstration**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:40CFR 60.92(a)(2), NSPS Subpart I**

**Item 12.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Emission Point: 00001

Process: 001

Emission Source: 00020

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee will conduct observations of visible emissions (opacity) from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source. If visible emissions above those that are normal (this may be zero percent opacity for many or all emission sources) and in compliance with Subpart I are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected. If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct a Method 9 assessment within 24 hours to determine the degree of

**New York State Department of Environmental Conservation**

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254



opacity.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department and submitted in the annual compliance certification.

Monitoring Frequency: WEEKLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2018.  
Subsequent reports are due every 12 calendar month(s).

**Condition 13: Test Methods and Procedures**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable Federal Requirement:40CFR 60.93(b), NSPS Subpart I**

**Item 13.1:**

This Condition applies to Emission Unit: U-00001 Emission Point: 00001  
Process: 001 Emission Source: 00020

**Item 13.2:**

The owner or operator shall determine compliance with the particulate matter standards in 40 CFR 60.92 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).

(2) Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.



**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Emergency Defense - 6 NYCRR 201-1.5**

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;

(3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.

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

**Item B: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records.



Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

**Item C: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 14: Contaminant List**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable State Requirement:ECL 19-0301**

**Item 14.1:**  
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 0NY075-00-0  
Name: PARTICULATES

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0  
Name: VOC

**Condition 15: Malfunctions and start-up/shutdown activities**



**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable State Requirement:6 NYCRR 201-1.4**

**Item 15.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 16: Emission Unit Definition**

**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 16.1(From Mod 1):**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-00001

Emission Unit Description:

The emission unit consists of a Gencore Ultra II Low NOx



**New York State Department of Environmental Conservation**

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254



drum mix counterflow kiln with a capacity of 400 tons per hour. It contains a 137 MMBtu/hr natural gas burner. Waste gases are directed to a baghouse. Electrical power is provided by two (2) Cummings diesel engine generators.

**Item 16.2(From Mod 1):**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-00002

Emission Unit Description:

Two (2) identical Cummins QST30-G1 generators

**Condition 18: Renewal deadlines for state facility permits  
Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable State Requirement:6 NYCRR 201-5.2 (c)**

**Item 18.1:**

The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Condition 19: Compliance Demonstration  
Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable State Requirement:6 NYCRR 201-5.3 (c)**

**Item 19.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 19.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 1  
SUNY at Stony Brook  
Building 40  
Stony Brook, NY 11790-2356

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2018.

Subsequent reports are due every 12 calendar month(s).

**Condition 20: Visible Emissions Limited**

**New York State Department of Environmental Conservation**

Permit ID: 1-4728-00254/00001

Facility DEC ID: 1472800254



**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 20.1:**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 21: Emission Point Definition By Emission Unit**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 21.1(From Mod 1):**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 46

Diameter (in.): 40

NYTMN (km.): 4513.7

NYTME (km.): 644.

**Item 21.2(From Mod 1):**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00002

Emission Point: 00002

Height (ft.): 15

Diameter (in.): 10

NYTMN (km.): 4513.7

NYTME (km.): 644.

Emission Point: 00003

Height (ft.): 15

Diameter (in.): 10

NYTMN (km.): 4513.7

NYTME (km.): 644.

**Condition 22: Process Definition By Emission Unit**  
**Effective between the dates of 08/21/2017 and 08/20/2027**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 22.1(From Mod 1):**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001

Process: 001

Source Classification Code: 3-05-002-05

Process Description:

