

Facility DEC ID: 1473400304

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility

Permit ID: 1-4734-00304/00006

Effective Date:

Expiration Date:

Permit Issued To: CARLSONCORP, INC.  
140 OLD NORTHPORT RD  
KINGS PARK, NY 11754

Contact: TOBY CARLSON  
140 OLD NORTHPORT RD  
KINGS PARK, NY 11754

Facility: CARLSONCORP INC  
140 OLD NORTHPORT RD  
KINGS PARK, NY 11754

Description:

This is a renewal of the Air State Facility permit for CarlsonCorp Inc, an asphalt plant. The proposed plant has the design capacity to produce 300 tons of bituminous concrete per hour. Annual asphalt production volumes of 815,000 tons per year and 405,000 tons per year when operating on natural gas or fuel oil, respectively. It should be noted that these production volumes are based on 100% usage of either fuel, not of combined use. As such, if both natural gas and fuel oil were to be used, the production volumes would vary. The facility is capping Volatile Organic Compounds (VOCs) to stay below 22.5 tons per year on an annual total rolled monthly basis. The facility has two (2) emission units, which consist of a crusher and a mixer. The plant will be equipped with an air scavenger system (main exhaust fan) to collect emissions from each of the primary aggregate transfer points and from the dryer. These emissions will be processed through a primary "knockout" chamber and baghouse equipped with felt filter bags to collect particulate emissions. Renewal 1 does not include changes to the facility equipment or processes.

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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:        KEVIN A KISPERT  
   SUNY @ STONY BROOK  
   50 CIRCLE RD  
   STONY BROOK, NY 11790

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

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### 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.

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- 5 3 Applications for permit renewals, modifications and transfers
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**Facility Level**

- 6 5 Submission of application for permit modification or renewal - REGION 1 HEADQUARTERS

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**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 3: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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 3.2:**

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

**Item 3.3**

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.

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**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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

**Item 5.1:**

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

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

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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140 OLD NORTHPORT RD  
KINGS PARK, NY 11754

Facility: CARLSONCORP INC  
140 OLD NORTHPORT RD  
KINGS PARK, NY 11754

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

Permit Effective Date:

Permit Expiration Date:

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- 7 \*2 6 NYCRR 201-7.1: Capping Monitoring Condition
- 8 3 6 NYCRR 202-1.2: Notification
- 9 4 6 NYCRR 211.2: Visible Emissions Limited
- 9 5 6 NYCRR 220-3.6 (a): Compliance Demonstration
- 10 6 6 NYCRR 220-3.7 (a): Compliance Demonstration
- 11 7 6 NYCRR 220-3.10: Minimization of Fugitive Dust Emissions.
- 12 8 6 NYCRR 225-1.2 (d): Compliance Demonstration
- 12 9 40CFR 60, NSPS Subpart JJJJ: Applicability
- 13 10 40CFR 63, Subpart ZZZZ: Applicability

**Emission Unit Level**

- 13 11 6 NYCRR 201-7.1: Emission Unit Permissible Emissions

**EU=1-CRUSH**

- 13 12 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 15 13 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration

**EU=1-CRUSH,Proc=004**

- 16 14 40CFR 60.674(b), NSPS Subpart OOO: Compliance Demonstration

**EU=1-MIXER**

- 17 15 6 NYCRR 220-3.3 (a): Compliance Demonstration
- 18 16 6 NYCRR 220-3.3 (b): Compliance Demonstration
- 19 17 6 NYCRR 220-3.3 (b): Compliance Demonstration
- 19 18 6 NYCRR 220-3.3 (b): Compliance Demonstration
- 20 19 6 NYCRR 220-3.4: Compliance Demonstration
- 20 20 6 NYCRR 220-3.5 (b): Compliance Demonstration
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- 24 24 6 NYCRR 220-3.8: Compliance Demonstration
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- 28 28 6 NYCRR Subpart 201-5: Emission Unit Definition
- 29 29 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 29 30 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 30 31 6 NYCRR 211.1: Air pollution prohibited
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- 31 34 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

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NOTE: \* preceding the condition number indicates capping.

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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 1/DRAFT

\*\*\*\* 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,

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required to operate such device effectively.

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

(a) Except as otherwise provided by this Part, construction or operation of a new, modified or existing air contamination source without a registration or permit issued pursuant to this Part is prohibited.

(b) If an existing facility or emission source was subject to the permitting requirements of this Part at the time of construction or modification, and the owner or operator failed to apply for a permit or registration as described in this Part, the owner or operator must apply for a permit or registration in accordance with the provisions of this Part. The facility or emission source is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing emission sources.

**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**

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**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)**





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**Condition 4: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 4.1:**

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.

**Condition 5: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 220-3.6 (a)**

**Item 5.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an existing Asphalt Mixture Processing Unit shall control emissions associated with the drag conveyor, and/or hot screens, pug mill, and asphalt storage silo filling operations. Emissions from these sources must be captured and can either be returned to the drum mixer, controlled with coalescing filters, or controlled with any other method acceptable and approved by the Department. Controls must be installed based on the production level of the Asphalt Mixture Processing Unit according to the following schedule:

(1) Calculated annual production level equal to or greater than 500,000 tpy of asphalt mixture, must comply by September 5, 2025.

(2) Calculated annual production level equal to or greater than 250,000 tpy but less than 500,000 tpy of asphalt mixture, must comply by September 5, 2027.

(3) Calculated annual production level equal to or greater than 75,000 tpy but less than 250,000 tpy of asphalt mixture, must comply by September 5, 2029.

Within 90 days of control installation, the owner or operator of the Asphalt Mixture Processing Unit shall submit a report to the Department stating the date of

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completed control installation.

The owner or operator of an existing Asphalt Mixture Processing Unit shall maintain and operate the control equipment based on manufacturer's specifications and retain records at the facility or at an alternative Department approved location, of control equipment maintenance. These records shall include, but are not limited to, the date and type of maintenance performed on the control equipment. These records shall be made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 6: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 220-3.7 (a)**

**Item 6.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an existing Asphalt Mixture Processing Unit shall control emissions associated with the load-out process operations. Blue smoke emissions from these operations must be directed to a dedicated control device or controlled with any other method acceptable and approved by the Department. Controls must be installed based on the production level of the Asphalt Mixture Processing Unit according to the following schedule:

- (1) Calculated annual production level equal to or greater than 500,000 tpy of asphalt mixture, must comply by September 5, 2025.
- (2) Calculated annual production level equal to or greater than 250,000 tpy but less than 500,000 tpy of asphalt mixture, must comply by September 5, 2027.
- (3) Calculated annual production level equal to or greater than 75,000 tpy but less than 250,000 tpy of asphalt mixture, must comply by September 5, 2029.

Within 90 days of control installation, the owner or

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operator of the Asphalt Mixture Processing Unit shall submit a report to the Department stating the date of completed control installation.

The owner or operator of an existing Asphalt Mixture Processing Unit shall maintain and operate the control equipment based on manufacturer's specifications and retain records at the facility or at an alternative Department approved location, of control equipment maintenance. These records shall include, but are not limited to, the date and type of maintenance performed on the control equipment. These records shall be made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 7: Minimization of Fugitive Dust Emissions.  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 220-3.10**

**Item 7.1:**

(a) Site Roadways and Plant Property:

- (1) Dust on the site roadways and plant property shall be controlled by applications of water, calcium chloride or other acceptable and approved fugitive dust control compound. Application of dust suppressants shall be completed often enough to prevent dust emissions from leaving the plant property.
- (2) All paved areas shall be swept and treated with water, as needed, to reduce dust.
- (3) Any aggregate, RAP, or other materials used to manufacture asphalt mixture that is spilled on site roads shall be cleaned up to avoid tracking onto public roadways.
- (4) The potential for dust to be tracked out to public roadways shall be minimized by implementing the procedures cited in paragraph (1) of this subdivision, along with any other reasonable procedure(s).

(b) Asphalt Mixture Processing Units:

- (1) The drop distance at each location where asphalt is exposed to the air must be reduced to the minimum that the equipment can achieve and allow for proper operation to comply with the opacity requirements in section 220-3.8 of this Subpart.
- (2) The transfer point where the belt feeder transfers aggregate or RAP from its bin onto a belt conveyor to the aggregate dryer shall be equipped, where it does not unreasonably interfere with production, with an enclosed chute, within 1 year of the effective date of this Subpart.

(c) Storage Piles. Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.

(d) Vehicles:

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- (1) Vehicles shall be loaded to prevent their contents from dropping, leaking, blowing or otherwise escaping.
- (2) Trucks shall always be tarped unless loading and unloading.
- (3) A speed limit sign of 15 miles-per-hour or lower shall apply to onsite traffic and be posted so that it is visible to truck operators.

(e) Fugitive Dust Corrective Actions. When corrective action needs to be taken, the permittee shall consider and use one or more of the following options: adjust the watering and/or sweeping frequencies, reduce drop distances, increase coverings, and/or take other appropriate actions to reduce fugitive dust emissions.

**Condition 8: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**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: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire distillate oil are limited to a 0.0015 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Note - Process sources and incinerators must comply with the above requirements on or after July 1, 2023.

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

**Condition 9: Applicability**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 60, NSPS Subpart JJJJ**

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**Item 9.1:**

Facilities that have stationary spark ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart JJJJ.

**Condition 10: Applicability**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63, Subpart ZZZZ**

**Item 10.1:**

Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 Subpart ZZZZ.

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

**Condition 11: Emission Unit Permissible Emissions**  
**Effective for entire length of Permit**

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

**Item 11.1:**

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 1-CRUSH

CAS No: 0NY998-00-0

Name: VOC

PTE(s): 2.69 pounds per hour

9,420 pounds per year

Emission Unit: 1-MIXER

CAS No: 0NY998-00-0

Name: VOC

PTE(s): 12.29 pounds per hour

35,500 pounds per year

**Condition 12: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.672(b), NSPS Subpart OOO**

**Item 12.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CRUSH

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Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from crushers subject to the requirements of Table 3 to Subpart 000 at which a capture system is not used that commenced construction, modification or reconstruction after April 22, 2008 shall be limited to 12 percent opacity. In determining compliance with this opacity limit, Method 9 of Appendix A-4 to 40 CFR Part 60 and the procedures of 40 CFR 60.11 shall be used to determine opacity, with the additions specified in 40 CFR 60.675(c). The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.

The facility owner or operator shall conduct a visible emissions observation of all sources applicable to this condition once per day while the process is in operation. In any instance where observation indicates that the opacity limit may have been exceeded, the operator shall identify the cause and correct the issue in a timely manner.

Where visible emissions persist after corrective actions have been attempted, the operator shall conduct a Method 9 observation of the source and notify DEC if the opacity standard is not met. The Method 9 assessment should be conducted within 24 hours of the original observation of visible emissions.

The facility owner or operator must conduct a Method 9 observation of sources without either water sprays or water carryover from upstream water sprays a minimum of once every 5 years.

Daily records of the visible emissions observations and any Method 9 observations, investigations, and corrective actions are to be maintained on site for a period of at least 5 years from the date of the record. Such records shall include the date and time of each observation, weather conditions, results of the observation, corrective actions taken, and explanations for days when weather conditions were prohibitive.

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Parameter Monitored: OPACITY  
 Upper Permit Limit: 12 percent  
 Reference Test Method: EPA Method 9 per 40 CFR 60.675(c)  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION  
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 13: Compliance Demonstration  
 Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 60.672(b), NSPS Subpart OOO**

**Item 13.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CRUSH

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

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from sources subject to the requirements of Table 3 to Subpart OOO that commenced construction, modification or reconstruction after April 22, 2008 shall be limited to 7 percent opacity. In determining compliance with this opacity limit, Method 9 of Appendix A-4 to 40 CFR Part 60 and the procedures of 40 CFR 60.11 shall be used to determine opacity, with the additions specified in 40 CFR 60.675(c). The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.

The facility owner or operator shall conduct a visible emissions observation of all sources applicable to this condition once per day while the process is in operation. In any instance where observation indicates that the opacity limit may have been exceeded, the operator shall identify the cause and correct the issue in a timely manner.

Where visible emissions persist after corrective actions have been attempted, the operator shall conduct a Method 9 observation of the source and notify DEC if the opacity standard is not met. The Method 9 assessment should be

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conducted within 24 hours of the original observation of visible emissions.

The facility owner or operator must conduct a Method 9 observation of sources without either water sprays or water carryover from upstream water sprays a minimum of once every 5 years.

Daily records of the visible emissions observations and any Method 9 observations, investigations, and corrective actions are to be maintained on site for a period of at least 5 years from the date of the record. Such records shall include the date and time of each observation, weather conditions, results of the observation, corrective actions taken, and explanations for days when weather conditions were prohibitive.

Parameter Monitored: OPACITY

Upper Permit Limit: 7 percent

Reference Test Method: EPA Method 9 per 40 CFR 60.675(c)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 14: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 60.674(b), NSPS Subpart OOO**

**Item 14.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CRUSH  
Process: 004

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

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner/operator of any affected facility which began construction or modification on or after April 22, 2008, that uses wet suppression to control dust from any affected sources must perform monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet suppression system.

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The owner/operator must initiate corrective action within 24 hours and complete the corrective action as expediently as practical if the owner/operator finds that water is not flowing properly during an inspection of the water spray nozzles.

The owner/operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, in the logbook required under §60.676(b).

If the facility ceases operation of the water sprays or is using a control mechanism to reduce fugitive emissions other than the water sprays during the monthly inspections (for example, water from recent rainfall), the logbook entry required under §60.676(b) must specify the control mechanism being used instead of the water sprays.

Monitoring Frequency: MONTHLY  
 Reporting Requirements: ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 15: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 220-3.3 (a)**

**Item 15.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

**Item 15.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of an Asphalt Mixture Manufacturing Plant shall record the following information once daily, as applicable, for each Asphalt Mixture Processing Unit during operation in a calendar year:

- (1) Tons produced of asphalt mixture;
- (2) RAP used in tons of material;
- (3) Recorded hours of burner operation;
- (4) Baghouse differential pressure;
- (5) Warm mix tons produced;
- (6) Amount of fuel consumed;
- (7) Type of fuel consumed;
- (8) Instantaneous visual stack opacity reading by a trained employee that fulfills the requirements of 40 CFR Part 60, Appendix

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A-4, Method 9;  
(9) Typical stack temperature during operations;  
(10) RAP moisture content; and  
(11) Maintain annual records of Visible Emissions  
(Opacity) Training.

These records shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the Department.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 16: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 220-3.3 (b)**

**Item 16.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

**Item 16.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall:

(i) perform an annual visual inspection of baghouse tubesheet and internal structure. Record findings and any corrective actions.

(ii) replacement bags for the baghouse shall be kept on site with the minimum capability of at least a 20% bag change out. Record changed bag locations on baghouse tube map.

The owner or operator shall inspect all ductwork for leaks and perform needed maintenance prior to operating during the asphalt production season.

The owner or operator shall maintain annual records of baghouse and ductwork inspections.

All of these records shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards

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for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the Department.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 17: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 220-3.3 (b)**

**Item 17.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

**Item 17.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As of the effective date of this Subpart, an annual tune-up must be performed by a qualified employee or vendor on the hot oil heater located at any Asphalt Manufacturing Plant that is in operation during that calendar year.

All annual tune-up records shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the Department.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 18: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 220-3.3 (b)**

**Item 18.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

**Item 18.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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Monitoring Description:

As of the effective date of this Subpart, an annual service must be performed by a qualified employee or vendor on the dryer burner of any Asphalt Mixture Processing Unit that is in operation during that calendar year.

All annual service records shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the Department.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 19: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 220-3.4**

**Item 19.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

**Item 19.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The filling of asphalt cement storage tanks should be observed to prevent or mitigate potential spills by the delivery company and/or asphalt mixture manufacturing plant personnel.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 20: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 220-3.5 (b)**

**Item 20.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

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**Item 20.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an Asphalt Mixture Manufacturing Plant shall comply with the following requirements:

- (1) Within one year of the commencement of operation of any modified, new or reconstructed Asphalt Mixture Processing Unit at the respective site, the owner or operator shall perform an emission test to demonstrate compliance with the filterable and condensable PM and NOx emission limits specified in section 230-3.5 of this Subpart.
- (2) At least thirty (30) calendar days prior to commencing an emission test, a test protocol shall be submitted to the department for review and approval.
- (3) A complete test report shall be submitted to the department no later than sixty (60) calendar days after completion of the on-site testing portion of an emission test program. A complete test report shall include a summary of the emission results, clearly indicating if each pollutant measured is within permitted limits. The testing methods shall meet the acceptable procedures found in 6 NYCRR 202-1.3 to determine compliance.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 21: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 220-3.5 (b)**

**Item 21.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

Regulated Contaminant(s):

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

**Item 21.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of any new distillate oil/waste oil

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fired aggregate dryer must submit, at least thirty (30) calendar days prior to commencing an emission test, a test protocol to the department for review and approval. The owner or operator must submit a complete test report to the department no later than sixty (60) calendar days after completion of the on-site testing.

Monitoring records stating the following information shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the department.

Parameter Monitored: OXIDES OF NITROGEN  
 Upper Permit Limit: 0.113 pounds per million Btus  
 Reference Test Method: Method 7  
 Monitoring Frequency: ONCE EVERY TEN YEARS  
 Averaging Method: 1-HOUR AVERAGE  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 22: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 220-3.5 (b)**

**Item 22.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

Regulated Contaminant(s):  
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of any new natural gas/propane fired aggregate dryer must submit, at least thirty (30) calendar days prior to commencing an emission test, a test protocol to the department for review and approval. The owner or operator must submit a complete test report to the department no later than sixty (60) calendar days after completion of the on-site testing.

Monitoring records stating the following information shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of

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the permit. Access to such offsite records must be made available in a timely manner if requested by the department.

Parameter Monitored: OXIDES OF NITROGEN  
 Upper Permit Limit: 0.048 pounds per million Btus  
 Reference Test Method: Method 7  
 Monitoring Frequency: ONCE EVERY TEN YEARS  
 Averaging Method: 1-HOUR AVERAGE  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 23: Compliance Demonstration  
 Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 220-3.5 (b)**

**Item 23.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

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

**Item 23.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of any new aggregate dryer must submit, at least thirty (30) calendar days prior to commencing an emission test, a test protocol to the department for review and approval. The owner or operator must submit a complete test report to the department no later than sixty (60) calendar days after completion of the on-site testing.

Monitoring records stating the following information shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the department.

Parameter Monitored: PARTICULATES  
 Upper Permit Limit: 0.015 grains per dscf  
 Reference Test Method: Method 5 and Method 202  
 Monitoring Frequency: ONCE EVERY TEN YEARS  
 Averaging Method: 1-HOUR AVERAGE  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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**Condition 24: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 220-3.8**

**Item 24.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

**Item 24.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No facility owner or operator shall cause or allow emissions to exceed an average opacity of 20 percent or greater during any six consecutive minutes from any process emission source or emission point.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 25: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 220-3.9 (c)**

**Item 25.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-MIXER

**Item 25.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall conduct a burner tuning procedure in accordance with the manufacturer's specifications to minimize NO<sub>x</sub> and carbon monoxide (CO) emissions each calendar year.

The following information shall be monitored and recorded:

(i) the date of the tuning procedure;

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- (ii) the name of the servicing company/qualified internal staff/technician;
- (iii) the production rate (tons/hr) or load before and after tuning;
- (iv) the NO<sub>x</sub> and CO concentrations (ppmvd @ 3% O<sub>2</sub>) before and after tuning; and
- (v) the percent O<sub>2</sub> before and after tuning.

Records of this information shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the Department.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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**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 in 6 NYCRR 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 demonstrate, 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 facility was being properly operated and maintained;

(3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the 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 any 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 malfunction 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

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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 26: Contaminant List  
Effective for entire length of Permit**

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

**Item 26.1:**

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

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**Condition 27: Malfunctions and Start-up/Shutdown Activities**  
**Effective for entire length of Permit****Applicable State Requirement:6 NYCRR 201-1.4****Item 27.1:**

(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 maintenance and start-up/shutdown activities when they are expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when required by a permit condition or upon request by the department. Such reports shall state whether an exceedance occurred and if it was unavoidable, include the time, frequency and duration of the exceedance, 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 monitoring and quarterly reporting requirements need not submit additional reports of exceedances to the department.

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall 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. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. 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, the air contaminants emitted, and the resulting emission rates and/or opacity.

(d) The department may also require the facility 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 28: Emission Unit Definition**  
**Effective for entire length of Permit****Applicable State Requirement:6 NYCRR Subpart 201-5****Item 28.1:**

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

Emission Unit: 1-CRUSH

Emission Unit Description:

One asphalt crusher and one concrete crusher with the capacity to process <150 tons per hour of Recycled Asphalt Products (RAP)/ concrete with all associated sources and controls.

**Item 28.2:**

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

Emission Unit: 1-MIXER

Emission Unit Description:

A drum mix asphalt plant which has a double barrel dryer drum mixer capable of producing 300 tons per hour with all associated sources and controls.

**Condition 29: Renewal deadlines for state facility permits  
Effective for entire length of Permit**

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

**Item 29.1:**

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 30: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 30.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 30.2:**

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)

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Reports due 30 days after the reporting period.  
Subsequent reports are due every 12 calendar month(s).

**Condition 31: Air pollution prohibited**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 31.1:**

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 32: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 32.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 32.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator shall establish a complaint response plan to manage complaints related to air emissions from the facility. At a minimum, the plan shall include procedures to ensure that:

1. A complaint phone line is available 24 hours a day, 7 days a week.
2. Facility staff promptly investigate the possible causes of the complaint and promptly take action to abate any circumstances found to be the cause of the complaint.
3. The complaint, the results of investigation, and any corrective actions taken are recorded. Such records shall include the date, time, and staff person responsible.
4. Records are reported at a regular frequency acceptable to the Department.
5. Records are reported in a format acceptable to the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Condition 33: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 33.1:**

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

Emission Unit: 1-CRUSH

Emission Point: 00002

Height (ft.): 26	Diameter (in.): 96
NYTMN (km.): 4526.89	NYTME (km.): 644.67

Emission Point: 00003

Height (ft.): 26	Diameter (in.): 96
NYTMN (km.): 4526.87	NYTME (km.): 644.6

Emission Point: 00004

Height (ft.): 12	Diameter (in.): 18
NYTMN (km.): 4526.82	NYTME (km.): 644.65

**Item 33.2:**

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

Emission Unit: 1-MIXER

Emission Point: 00001

Height (ft.): 85	Diameter (in.): 39
NYTMN (km.): 4526.82	NYTME (km.): 644.65

Emission Point: 00005

Height (ft.): 12	Diameter (in.): 18
NYTMN (km.): 4526.82	NYTME (km.): 644.65

**Condition 34: Process Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 34.1:**

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

Emission Unit: 1-CRUSH

Process: 004

Source Classification Code: 3-05-025-10

Process Description:

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The facility has an asphalt crusher that has the capacity to process <150 tons per hour of asphalt. Fugitive emissions are collected with the use of water sprays.

Emission Source/Control: 00005 - Combustion  
 Design Capacity: 1,971 horsepower (electric)

Emission Source/Control: 00003 - Control  
 Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00004 - Control  
 Control Type: DUST SUPPRESSION BY WATER SPRAY

**Item 34.2:**

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

Emission Unit: 1-MIXER  
 Process: 001 Source Classification Code: 3-05-002-05  
 Process Description:

300 TPH hot mix rotary dryer mixer, with low NOx natural gas burner. The asphalt is a heated mixture of aggregate and liquid asphalt cement. Agregate is conveyed to a heated drum dryer where, once it is dried, it is combined with liquid asphalt cement, aggregate and RAP. The exhaust gas from the mixer is collected from aggregate transfer points, and from the dryer. The emissions are processed through a fabric filter baghouse.

Emission Source/Control: 00001 - Combustion  
 Design Capacity: 75 million Btu per hour

Emission Source/Control: 00006 - Combustion  
 Design Capacity: 1,971 horsepower (electric)

Emission Source/Control: 00007 - Combustion  
 Design Capacity: 300 tons per hour

Emission Source/Control: 00002 - Control  
 Control Type: FABRIC FILTER

**Item 34.3:**

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

Emission Unit: 1-MIXER  
 Process: 002 Source Classification Code: 3-05-002-02  
 Process Description:

Drum plant operations; including: handling (elevators), screening, and mixing of asphalt constituents.

Emission Source/Control: 00007 - Combustion  
 Design Capacity: 300 tons per hour

Permit ID: 1-4734-00304/00006

Facility DEC ID: 1473400304

**Item 34.4:**

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

Emission Unit: 1-MIXER

Process: 003

Source Classification Code: 3-05-002-14

Process Description:

The loading of finished asphalt product into vehicles.

Emission Source/Control: 00007 - Combustion

Design Capacity: 300 tons per hour

**Permit ID: 1-4734-00304/00006**

**Facility DEC ID: 1473400304**