



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 2-6302-00138/00028
Mod 0 Effective Date: 09/21/2005 Expiration Date: No expiration date.
Mod 1 Effective Date: 01/06/2009 Expiration Date: No expiration date.
Mod 2 Effective Date: 04/07/2010 Expiration Date: No expiration date.
Mod 3 Effective Date: 10/18/2012 Expiration Date: No expiration date.

Permit Issued To: NYC DEPT OF TRANSPORTATION
55 WATER ST 4TH FL
NEW YORK, NY 10041

Contact: ANTHONY BORDENCA
NYC DOT - RRM
448 HAMILTON AVE
BROOKLYN, NY 11232
(718) 369-4246

Facility: HARPER STREET ASPHALT PLANT
30-01 HARPER ST|130-01 NORTHERN BLVD
CORONA, NY 11368

Contact: BIAGIO CANTATORE
NYC DOT- RRM
30-01 HARPER ST/130-01 NORTHERN BLVD
CORONA, NY 11368
(212) 839-2353

Description:

PERMIT DESCRIPTION
Harper Street Asphalt Plant
DEC ID # 2-6302-00138/00028 ASF (Ren 0, Mod 3)

This is a permit modification to do the following:

1. Remove existing inconsistencies among the various permit conditions.
2. Remove specific fuel consumption limits and integrate production limits with other facility emission sources to monitor and specify the two primary emission rate limits necessary to maintain qualification as a synthetic minor facility - CO and NOx annual emission rates, respectively, less than 100



tons and 25 tons.

3. Eliminate equipment no longer present at the facility; accurately represent the current facility operations; render a permit that allows for ease of monitoring the emission limiting conditions; and plan for near-future modifications to the facility that will result in CO and NOx emission reductions.

4. Update the equipment for Emission Units B-00001, D-00001 and H-0002 to reflect current operations. The modification of Emission Unit R-00001 reflects planned short-term operations.

The facility shall perform annual combustion management testing, as a maintenance practice, on the natural gas fired burner of the rotary stone dryer burner (Emission Source APC03 in Emission Unit D-00001). This testing shall include either verification or re-establishment of: the emission factor - lbs NOx per ton HMA / WMA - in the formula of Condition #3-10, item #3-10.7; and the emission factor - lbs CO per ton HMA / WMA - in the formula of Condition #3-17, item #3-17.7.

The facility shall perform the annual burner management test within the month of March each calendar year and submit a report to the Department within 60 calendar days. The monitoring frequency is annually, in the month of March each calendar year.

Production rates and fuel consumption of identified facility emission sources will be monitored to calculate CO and NOx emissions based upon established emission factors or from the annual combustion management testing.

The integration of monitoring HMA production (Emission Unit D-00001) with fuel consumption of the other emission sources, low sulfur #2 fuel oil for Emission Units G-00123 and R-00001; and natural gas for Emission Units A-00012, B-00001 and H-00012 will remove inconsistencies in the current permit.

The modification updates the equipment for Emission Units B-00001, D-00001 and H-00012 to reflect current operations. The modification of Emission Unit R-00001 reflects planned short-term operations.

The Harper Street Asphalt Plant is a facility that produces paving materials used in the Metropolitan New York City area. The facility can be operated both as a batch mix and drum mix plant with and without reclaimed asphalt



pavement (RAP). As a batch plant aggregate and heated liquid asphalt cement are mixed in the Pug mill. As a drum plant reclaimed asphalt pavement (RAP), dried aggregate and heated liquid asphalt cement are mixed in the drum. The facility consists of a rotary stone dryer, two (2) asphalt cement heated storage tanks, three (3) electric power generators, a batch mixer (pug mill), a drum mixer, a RAP crusher complete with a 385 HP engine, material handling equipment, four (4) cold aggregate feed bins, four (4) RAP bins, four (4) hot mix storage silos, a primary cyclone dust collector, a secondary (bag house) dust collector, and heaters and furnaces for the Administration / Maintenance building. The rotary stone dryer is fired by natural gas. The electric generators are fired by low sulfur #2 fuel oil. The building furnaces and heaters are fired by natural gas. The KPI-JCI RAP crusher is fired with low sulfur #2 fuel oil. The facility produces virgin HMA and HMA with a maximum of 40% RAP. In the future the facility also plans to produce warm mix asphalt (WMA). The maximum hourly rate of the rotary stone dryer is 425 tons per hour. The facility plans to operate 16 hours per day, 200 days per year. Therefore, the facility's maximum HMA annual production is 1.36 million tons unless limited by the annual facility emission rates of NOx or CO from all emission sources at the facility.

The annual facility emission rate for NOx is 24.9 tons. The annual facility emission rate for CO is 99.9 tons. The facility operation is from January 1st to December 31st.

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: JOHN F CRYAN
NYSDEC
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407

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
 - Applications for Permit Renewals and Modifications
 - Permit modifications, suspensions or revocations by the Department
 - Permit Modifications, Suspensions and Revocations by the Department

Facility Level

- Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS
- Submission of application for permit modification or renewal - REGION 2 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 3-1: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3-1.1:

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 3-1.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3-1.3:

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.



Applicable State Requirement: 6 NYCRR 621.13

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 expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for 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.

Condition 3-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 3-2.1:

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.

Condition 4: Permit Modifications, Suspensions and Revocations by the Department

Applicable State Requirement: 6 NYCRR 621.14

Item 4.1:

The Department reserves the right 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



the Department related to the permitted activity.

****** Facility Level ******

Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.5 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

Condition 3-3: Submission of application for permit modification or renewal - REGION 2

HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 3-3.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: NYC DEPT OF TRANSPORTATION
55 WATER ST 4TH FL
NEW YORK, NY 10041

Facility: HARPER STREET ASPHALT PLANT
30-01 HARPER ST|130-01 NORTHERN BLVD
CORONA, NY 11368

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

Mod 0 Permit Effective Date: 09/21/2005
date.

Permit Expiration Date: No expiration

Mod 1 Permit Effective Date: 01/06/2009
date.

Permit Expiration Date: No expiration

Mod 2 Permit Effective Date: 04/07/2010
date.

Permit Expiration Date: No expiration

Mod 3 Permit Effective Date: 10/18/2012
date.

Permit Expiration Date: No expiration



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 3-1 6 NYCRR 200.7: Maintenance of Equipment
- 3-2 6 NYCRR 202-1.1: Required Emissions Tests
- 3-3 6 NYCRR 200.7: Compliance Demonstration
- 3-4 6 NYCRR 200.7: Compliance Demonstration
- 3-5 6 NYCRR 200.7: Compliance Demonstration
- 3-6 6 NYCRR 200.7: Compliance Demonstration
- 3-7 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 3-8 6 NYCRR 201-7.2: Facility Permissible Emissions
- *3-9 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-10 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-11 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-12 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-13 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-14 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-15 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-16 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-17 6 NYCRR 201-7.2: Capping Monitoring Condition
- 3 6 NYCRR 202-1.2: Notification
- 4 6 NYCRR 202-1.3: Acceptable procedures
- 3-18 6 NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
- 3-19 6 NYCRR 202-1.3: Alternate test methods
- 3-20 6 NYCRR 211.1: Air pollution prohibited
- 3-21 6 NYCRR 212.4 (a): Compliance Demonstration
- 5 6 NYCRR 212.10 (d): Compliance Demonstration
- 3-22 6 NYCRR 212.11 (a): Compliance Demonstration
- 3-23 6 NYCRR 212.12 (a) (1): Compliance Demonstration
- 3-24 6 NYCRR 212.12 (b): Compliance Demonstration
- 3-25 6 NYCRR 225-1.2 (a): Compliance Demonstration
- 6 6 NYCRR 225-1.8: Compliance Demonstration
- 7 6 NYCRR 225-1.8 (a): Compliance Demonstration
- 3-26 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 3-27 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 3-28 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

Emission Unit Level

- 3-29 6 NYCRR 212.12 (a) (2): Compliance Demonstration

EU=D-00001

- 8 6 NYCRR 212.6 (a): Compliance Demonstration

EU=D-00001,EP=0S001,Proc=P01,ES=APC01

- 12 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications

EU=D-00001,EP=0S001,Proc=P01,ES=APC02

- 13 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications



EU=D-00001,EP=0S001,Proc=P01,ES=APC03

14 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications

EU=G-00123

16 6 NYCRR 227-1.3: Compliance Demonstration

EU=G-00123,EP=0S003

17 6 NYCRR 227-1.3 (a): Compliance Demonstration

EU=G-00123,EP=0S004

18 6 NYCRR 227-1.3 (a): Compliance Demonstration

EU=G-00123,EP=0S005

19 6 NYCRR 227-1.3 (a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 20 ECL 19-0301: Contaminant List
- 3-30 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 22 6 NYCRR Subpart 201-5: Emission Unit Definition
- 23 6 NYCRR 201-5.3 (b): Compliance Demonstration
- 29 6 NYCRR 201-7.2 (e): Facility Permissible Emissions
- *30 6 NYCRR 201-7.2 (e): Capping Monitoring Condition
- 31 6 NYCRR 211.2: Air pollution prohibited
- 3-31 6 NYCRR 211.2: Visible Emissions Limited
- 3-32 6 NYCRR 231-1.2 (a) (1): Compliance Demonstration
- 3-33 6 NYCRR 231-1.2 (a) (4): Compliance Demonstration
- 3-34 6 NYCRR 231-1.2 (a) (4): Compliance Demonstration

Emission Unit Level

- 34 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 35 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

EU=D-00001

3-35 6 NYCRR 231-1.2 (a) (1): Compliance Demonstration

EU=D-00001,EP=0S001,Proc=P01

3-36 6 NYCRR Subpart 201-5: Compliance Demonstration

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: Emergency Defense - 6 NYCRR 201-1.5

An emergency constitutes an affirmative defense to an action brought 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 and/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;
- (3) During the period of the emergency the facility owner and/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 and/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 and/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 F: 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 G: 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 H: 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 I: 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 J: 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 K: 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 L: 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 M: 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 3-1: Maintenance of Equipment



Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 200.7

Item 3-1.1:

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 3-2: Required Emissions Tests

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 3-2.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 3-3: Compliance Demonstration

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 200.7

Item 3-3.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator shall perform annual combustion management testing, as a maintenance practice, on the natural gas fired burner of the rotary stone dryer burner (Emission Source APC03 in Emission Unit D-00001). This testing shall include either verification or re-establishment of: the emission factor - lbs NOx per ton HMA / WMA - in the formula of Condition #3-10, item #3-10.7; and the emission factor - lbs CO per ton HMA / WMA - in the formula of Condition #3-17, item #3-17.7.

The owner or operator shall perform the annual burner management test within the month of March each calendar



year and submit a report to the Department within 60 calendar days.

"0.12" = EPA AP-42 emission factor for diesel generators firing #2 fuel oil on a lbs CO per gallon basis. It is equivalent to 0.85 lbs CO per million Btu (fuel input) from AP-42 Table 3.4-1.

If the emission factors are re-established, the owner or operator will utilize the revised emission factors in recording and reporting NOx and CO emissions based upon asphalt mix production beginning the date of the field testing. The maximum CO emission factor is 0.0090 lbs CO per ton of asphalt production (HMA/WMA).

The CO emission factor for the rotary dryer, 0.009 lbs of CO per ton of Hot Mix Asphalt, is based on burner management report dated October 31 - November 2, 2011. The emission factor will be verified or re-established through annual burner management testing conducted during the month of March annually. Other emission factors are EPA AP-42 factors.

The Monitoring Frequency is Annually, in the month of March each calendar year.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.0090 pounds CO per ton of Hot Mix Asphalt

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 3/1/2013.

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

Condition 3-4: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.7

Item 3-4.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-4.2:

Compliance Demonstration shall include the following monitoring:



Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator shall perform annual combustion management testing, as a maintenance practice, on the natural gas fired burner of the rotary stone dryer burner (Emission Source APC03 in Emission Unit D-00001). This testing shall include either verification or re-establishment of: the emission factor - lbs NOx per ton HMA / WMA - in the formula of Condition #3-10, item #3-10.7; and the emission factor - lbs CO per ton HMA / WMA - in the formula of Condition #3-17, item #3-17.7.

The owner or operator shall perform the annual burner management test within the month of March each calendar year and submit a report to the Department within 60 calendar days. The monitoring frequency is annually, in the month of March each calendar year.

If the emission factors are re-established, the owner or operator will utilize the revised emission factors in recording and reporting NOx and CO emissions based upon asphalt mix production beginning the date of the field testing.

The maximum NOx emission factor is 3.2 lbs NOx per million Btu. The emission factor for NOx for the stationary diesel generators based upon the diesel fuel consumption in gallons is calculated as:

$$[(3.2 \text{ lbs NOx} / \text{MM Btu}) \times (19,300 \text{ Btu/lb oil}) \times (7.1 \text{ lb oil} / \text{gallon oil})] = 0.44 \text{ lb NOx} / \text{gallon oil}$$

"0.44" is the emission factor for NOx for the stationary diesel generators based upon the diesel fuel consumption in gallons. It is calculated from the EPA AP-42 emission factor for large stationary diesel engines [Table 3.4-1] of 3.2 lbs NOx per million Btu fuel input assuming the fuel characteristics of 19,300 Btu per lb fuel and density of 7.1 lbs per gallon [footnote "a" of Table 3.4-1].

"0.101" is the emission factor for NOx for the diesel engine of the RAP crusher based upon the diesel fuel consumption in gallons. This emission factor is based upon the manufacturer's emission rate data for the model C11-385 Hp engine of 2.5 grams per hp-hr with an associated fuel rate of 21 gallons per hour.



Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: FUEL CONSUMPTION
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.44 pounds per gallon
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 3/1/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 3-5: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.7

Item 3-5.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator shall perform the annual burner management test within the month of March each calendar year and submit a report to the Department within 60 calendar days.

"0.12" = EPA AP-42 emission factor for diesel generators firing #2 fuel oil on a lbs CO per gallon basis. It is equivalent to 0.85 lbs CO per million Btu (fuel input) from AP-42 Table 3.4-1.

If the emission factors are re-established, the owner or operator will utilize the revised emission factors in recording and reporting NOx and CO emissions based upon asphalt mix production beginning the date of the field testing. The maximum CO emission factor is 0.85 lbs CO per million Btu.

The Monitoring Frequency is Annually, in the month of March each calendar year.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: FUEL CONSUMPTION

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.12 pounds per gallon
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: ARITHMETIC MEAN
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 3/1/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 3-6: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.7

Item 3-6.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 3-6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The owner or operator shall perform annual combustion management testing, as a maintenance practice, on the natural gas fired burner of the rotary stone dryer burner (Emission Source APC03 in Emission Unit D-00001). This testing shall include either verification or re-establishment of: the emission factor - lbs NO_x per ton HMA / WMA - in the formula of Condition #3-10, item #3-10.7; and the emission factor - lbs CO per ton HMA / WMA - in the formula of Condition #3-17, item #3-17.7.

If the emission factors are re-established, the owner or operator will utilize the revised emission factors in recording and reporting NO_x and CO emissions based upon asphalt mix production beginning the date of the field testing. The maximum NO_x emission factor is 0.0332 lbs NO_x per ton of asphalt production (HMA/WMA).

The Monitoring Frequency is Annually, in the month of March each calendar year.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: ASPHALT
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.0332 pounds NO_x per ton of Hot Mix



Asphalt
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION
Averaging Method: ARITHMETIC MEAN
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 3/1/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 3-7: Non Applicable requirements
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-6.5 (g)

Item 3-7.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

(From Mod 3)

40 CFR 52.21

Reason: 40 CFR 52-A.21 - Prevention of Significant Deterioration is non-applicable to this facility because the Harper Street Asphalt Plant is not considered to be a major source of SO₂. The three generators emit less than 2.5 tons per year of SO₂ for PSD.

40 CFR Part 60, Subpart A

Reason: 40 CFR 60-A - Standards of Performance for New Stationary Sources, General Provisions, is non-applicable to this facility because NSPS does not apply to generator-engines that produce electricity. Subpart Dc of 40 CFR 60 (NSPS) applies to generator-engines that produce steam only.

40 CFR Part 60, Subpart Dc

Reason: 40 CFR 60-Dc - Standards of Performance for New Stationary Sources is non-applicable to this facility because NSPS (New Source Performance Standards) does not apply to generator-engine that produce electricity. Subpart Dc of 40 CFR 60 (NSPS) applies to generator-engines that produce steam only.

40 CFR 60.92

Emission Unit: D00001 Emission Point: 0S001 Process: P01

Reason: The conditions under 40 CFR 60.92 set the limits for emissions of particulates from hot mix asphalt facilities. The opacity of these emissions may not exceed 20%. The particulate standard to be met is 0.04 grains per dry standard cubic foot from the stack or emission point.



40 CFR 60, Subpart 92, Hot mix asphalt plants - standard for Particulate matter is not applicable to the Harper Street Asphalt Plant. The particulate matter emission limit in 40 CFR 60.92 is superseded by the 0.030 grains per dry standard cubic foot particulate standard in Table 4 - Part 212.9(d) of 6 NYCRR 212.4(a).

40 CFR 60.670 (c) (2)

RAP02

Emission Unit: R00001 Emission Point: 0S002 Process: P02 Source:

Reason: The portable crusher for the recycled asphalt pavement (RAP) with a throughput capacity of less than 150 tons per hour is not subject to the requirements of 40 CFR -OOO.670(c)(2).

The portable crusher at the Harper Street Asphalt Plant has a throughput capacity of only 100 tons per hour.

40 CFR Part 63, Subpart OOO

Reason: 40 CFR 63, Subpart OOO; New Source Performance Standards (NSPS) for nonmetallic mineral processing plants is not applicable to the Harper Street Asphalt Plant since the applicability of the recycled asphalt pavement (RAP) crusher (Emission Source RAP02) in Emission Unit R-00001 is less than 150 tons per hour and the unit is portable.

40 CFR Part 63, Subpart ZZZZ

Reason: 40 CFR 63, Subpart ZZZZ; National Emission Standards for Hazardous Air Pollutants (NESHAPs) for reciprocating internal combustion engines (RICE) is not applicable to the Harper Street Asphalt Plant. The RICE, which is part of the MACT (section 63 NESHAP) NESHAP and became effective on 6/15/2004 is not applicable to the Harper Street Asphalt Plant. The Harper Street Asphalt Plant is not a major source of HAPs.

The RICE NESHAP is applicable to facilities that are major for HAPs, of which the Harper Street Asphalt Plant is not.

The emissions of total HAPs at the Harper Street Asphalt Plant is 6.25 tpy. Total VOC (volatile organic compounds, the category to which most - but not all - HAPs belong) is only 10.4 tons per year, well under the 25 tpy threshold to be considered as major for VOC. The HAPs emissions from stationary RICE are: formaldehyde, acetaldehyde, acrolein, and methanol, in which formaldehyde is the major contributor to HAPs.

Since all three diesel engines at the the Harper Street Asphalt Plant facility are defined as existing 4- Stroke



Lean Burn Stationary RICE units, they are not subject to Subpart ZZZZ of the NESHAP regulations.

Condition 3-8: Facility Permissible Emissions
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 3-8.1:

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:

CAS No: 0NY210-00-0 (From Mod 3) PTE: 49,000 pounds
per year

Name: OXIDES OF NITROGEN

Condition 3-9: Capping Monitoring Condition
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 3-9.1:

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 201-5

Item 3-9.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-9.3:

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 3-9.4:

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 3-9.5:

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



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 3-9.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-9.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to avoid the applicability of the Title V and the NOx-RACT controls required by 6 NYCRR 227-2, the owner has applied for a facility-wide cap of the annual CO emission rate at 99.9 tons. The owner will maintain (hot or warm mix) asphalt production rate records, fuel consumption records for the various emission sources, and utilize the formulae designated in permit condition #3-10, item #3-10.7 and permit condition #3-17, item #3-17.7 to calculate and maintain an annual rolling total of the facility NOx emission rate on a daily basis.

Records of fuel consumption and asphalt production rate shall be maintained on-site for 5 years to demonstrate compliance with the 99.9 tons of CO per year cap.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 99.9 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 1/30/2013.

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

Condition 3-10: Capping Monitoring Condition

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 3-10.1:

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

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



otherwise be subject to:

6 NYCRR Subpart 201-6

Item 3-10.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-10.3:

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 3-10.4:

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 3-10.5:

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 3-10.6:

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

Emission Unit: A-00012 Process: P04	Emission Point: 0S007 Emission Source: 0C005
Emission Unit: A-00012 Process: P04	Emission Point: 0S008 Emission Source: 0C006
Emission Unit: B-00001 Process: P03	Emission Point: 0S006 Emission Source: 0C004
Emission Unit: B-00001 Process: P03	Emission Point: 0S011 Emission Source: 0S009
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC01
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC02
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC03



Emission Unit: G-00123 Process: P13	Emission Point: 0S003 Emission Source: 0C001
Emission Unit: G-00123 Process: P13	Emission Point: 0S004 Emission Source: 0C002
Emission Unit: G-00123 Process: P13	Emission Point: 0S005 Emission Source: 0C003
Emission Unit: H-00012 Process: P05	Emission Point: 0S009 Emission Source: 0C007
Emission Unit: H-00012 Process: P05	Emission Point: 0S010 Emission Source: 0C008
Emission Unit: H-00012 Process: P05	Emission Point: 0S012 Emission Source: 0C010
Emission Unit: R-00001 Process: P02	Emission Point: 0S002 Emission Source: RAP02

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

Item 3-10.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The NO_x (Oxides of Nitrogen) emissions are capped at 24.9 tons per year. The owner or operator shall maintain a record of the quantity of each fuel fired at the facility to demonstrate compliance.

The owner or operator shall maintain a record of the HMA or WMA production rate of the rotary drum dryer and the quantity of natural gas fired in the AC heaters (Emission Unit A-00012), the Payne heaters (Emission Unit B-00001) and the space heaters (Emission Unit H-00012), the quantity of #2 low sulfur fuel oil fired in the diesel generators (Emission Unit G-00123), and the quantity of #2 low sulfur fuel oil fired in the diesel engine of the portable RAP crusher to be relocated at the facility. Also, the owner or operator shall calculate (based on the fuel quantity and the HMA / WMA production rates) the NO_x emissions from the facility using the following formula:

$$\text{HMA}*(0.0332) + \text{WMA}*(0.0332) + \text{G}*(100) + \text{E}*(0.44) +$$



$F \cdot (0.101) < 49,000$ lbs of NO_x emissions per year

Where:

HMA = 12-month rolling total production rate of hot mix asphalt in tons per year; "0.033" = lbs NO_x per ton HMA produced;

WMA = 12-month rolling total production rate of warm mix asphalt in tons per year; "0.033" = lbs NO_x per ton WMA produced;

G = Summation of 12-month rolling total of natural gas fired in AC heaters (Emission Unit A-00012), gas-fired furnaces (Emission Unit B-00001) and gas fired heaters (Emission Unit H-00012), in MMSCF/yr;

"100" = EPA AP-42 emission factor for gas fired heaters, lbs NO_x per MMSCF gas;

E = 12-month rolling total of distillate oil fired in diesel generators, gallons/yr;

F = 12-month rolling total of distillate oil fired in diesel engine of RAP crusher, gallons/yr; and

"0.101" = EPA AP-42 is calculated emission factor for diesel generators firing #2 fuel oil on a lbs NO_x per gallon of diesel fuel basis, and is based upon manufacturer's C11-385 Hp Engine emission Data NO_x emission rate of 2.5 grams per hp-hr and fuel rate of 21 gallons per hour.

The NO_x emission factor for the rotary dryer, 0.0332 lbs per ton, is based on burner management report dated October 31 - November 2, 2011. The emission factor will be verified or re-established through annual burner management testing conducted during the month of March annually. Other emission factors are EPA AP-42 factors. The NO_x emission factor for the KPI - JCI Mofel FT4240 RAP crusher is based upon the manufacturer's engine emission data.

Process Material: ASPHALT

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.



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

Condition 3-11: Capping Monitoring Condition
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-11.1:

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 3-11.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-11.3:

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 3-11.4:

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 3-11.5:

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 3-11.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-11.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:



In order to avoid the applicability of the Title V and the NOx-RACT controls required by 6 NYCRR 227-2, the owner has applied for a facility-wide cap of the annual NOx emission rate at 24.9 tons. The owner will maintain (hot or warm mix) asphalt production rate records, fuel consumption records for the various emission sources, and utilize the formulae designated in permit condition #3-10, item #3-10.7 and permit condition #3-17, item #3-17.7 to calculate and maintain an annual rolling total of the facility NOx emission rate on a daily basis.

Records of fuel consumption and asphalt production rate shall be maintained on-site for 5 years to demonstrate compliance with the 24.9 tons of NOx per year cap.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

Condition 3-12: Capping Monitoring Condition

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-12.1:

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

6 NYCRR Subpart 231-6

Item 3-12.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-12.3:

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 3-12.4:



Unit G-00123), the 385 HP diesel engine associated with the RAP crusher (Emission Source RAP02 in Emission Unit EU: R00001), and the two 1.5 MM Btu/hr each AC heaters (Emission Sources 0C005 & 0C006 in Emission Unit A-00012), and any other temporarily rented equipment consuming diesel fuel oil that may be used during equipment maintenance must be recorded on a daily basis. This will ensure that the NOx emissions amount to less than 25 tons per year.

To ensure that the diesel engines and the AC heaters operate at optimum conditions, periodic maintenance will be performed in accordance with the manufacturer's specification manual for the units. Other components of the periodic maintenance program for the unit include those actions necessitated by the results of monitoring the following data: diagnostic data obtained after a set number of operating hours, engine oil analysis, and fuel consumption versus power output of the unit.

On a daily basis, the facility will keep records of:

1. The # 2 fuel usage for each generating engine in gallons per day,
2. The natural gas consumption for each generator engine in cubic feet per day,
3. The hours of operation for each generating engine in hours per day.
4. The hours of operation of the rotary dryer.
5. The hours of operation of the RAP crusher and its engine (Tier 3 rated).

Records of #2 fuel oil consumption rates and maintenance of each unit shall be maintained for five years at the facility to demonstrate compliance with the annual NOx cap of 24.9 tons. The facility will then calculate the NOx emissions emanating from the stack of each of the combustion engines and the AC heaters using the tested or accepted AP-42 NOx emission factors.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: ASPHALT
Upper Permit Limit: 1,360,000 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 1/30/2013.



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

Condition 3-13: Capping Monitoring Condition
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-13.1:

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
6 NYCRR Subpart 231-2

Item 3-13.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-13.3:

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 3-13.4:

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 3-13.5:

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 3-13.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-13.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS



Monitoring Description:

The owner or operator must limit HMA / WMA production, the use of #2 fuel oil in the generators (Emission Unit G-00123) and RAP Crusher engine (Emission Unit R-00001), the use of natural gas in the AC heaters (Emission Unit A-00012), in the rotary gas dryer (Emission Unit D-00001), in the gas-fired furnaces (Emission Unit B-00001) and gas-fired heaters (Emission Unit H-00012) in accordance with the formula in Condition 3-17, item 3-17.7.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 99.9 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 1/30/2013.

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

Condition 3-14: Capping Monitoring Condition

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 3-14.1:

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

6 NYCRR Subpart 231-2

Item 3-14.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-14.3:

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 3-14.4:

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 3-14.5:

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 3-14.6:

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

Emission Unit: A-00012 Process: P04	Emission Point: 0S007 Emission Source: 0C005
Emission Unit: A-00012 Process: P04	Emission Point: 0S008 Emission Source: 0C006
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC01
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC02
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC03
Emission Unit: G-00123 Process: P13	Emission Point: 0S003 Emission Source: 0C001
Emission Unit: G-00123 Process: P13	Emission Point: 0S004 Emission Source: 0C002
Emission Unit: G-00123 Process: P13	Emission Point: 0S005 Emission Source: 0C003
Emission Unit: R-00001 Process: P02	Emission Point: 0S002 Emission Source: RAP02
Regulated Contaminant(s): CAS No: 0NY210-00-0	OXIDES OF NITROGEN

Item 3-14.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator must limit the use of #2 fuel oil in the generators (Emission Unit G-00123) in accordance with the associative operation of other equipment for the past 364 days as represented by the formulae in Condition



#3-10, item #3-10.7 and Condition #3-17, item #3-17.7.

The natural gas maximum limitation is a function of the annual production rate of HMA/WMA, the quantity utilized by the AC Heater and the furnaces in the Administrative / Maintenance building, the number of diesel generators utilized during production, and the diesel engine of the RAP crusher as calculated by the formulae in Condition #3-10, item 3-10.7 and Condition #3-17, item #3-17.7. Equipment formerly operated by the 600-Kw diesel generator (portable RAP crusher) is no longer present at the facility. The Harper Street Asphalt plant utilizes a KPI-JCI Model FT4240 RAP crusher that is complete with its own 325 horsepower diesel engine. The facility will operate the AC heaters only on gas firing. The natural gas fired rotary stone dryer (Emission Unit D-00001) has always been operated on natural gas firing; however, the NOx emission rate from this equipment is based on a per ton of production, not directly upon the natural gas consumption as reflected by the format of the EPA Ap-42 factor for hot mix asphalt plants. The emission factors for NOx and CO included in the formulae in Condition #3-10, item #3-10.7 and Condition #3-17, item #3-17.7 will be reaffirmed or re-established on an annual basis via burner management testing.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

Condition 3-15: Capping Monitoring Condition
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-15.1:

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

6 NYCRR Subpart 231-2

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Item 3-15.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-15.3:

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 3-15.4:

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 3-15.5:

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 3-15.6:

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

Emission Unit: A-00012 Process: P04	Emission Point: 0S007 Emission Source: 0C005
Emission Unit: A-00012 Process: P04	Emission Point: 0S008 Emission Source: 0C006
Emission Unit: B-00001 Process: P03	Emission Point: 0S006 Emission Source: 0C004
Emission Unit: B-00001 Process: P03	Emission Point: 0S011 Emission Source: 0S009
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC01
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC02
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC03
Emission Unit: G-00123 Process: P13	Emission Point: 0S003 Emission Source: 0C001

New York State Department of Environmental Conservation
Permit ID: 2-6302-00138/00028 Facility DEC ID: 2630200138



Emission Unit: G-00123 Emission Point: 0S004
Process: P13 Emission Source: 0C002

Emission Unit: G-00123 Emission Point: 0S005
Process: P13 Emission Source: 0C003

Emission Unit: R-00001 Emission Point: 0S002
Process: P02 Emission Source: RAP02

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

Item 3-15.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The Harper Street Asphalt Plant plans to use certain WORK PRACTICES pertaining to certain operations in order to keep the facility's annual NO_x emissions below the threshold for a major source of 25 tons per year. The WORK PRACTICES encompass monitoring emissions from the natural gas fired rotary stone dryer (Emission Unit D-00001) on the basis of production of HMA and WMA utilizing a proposed emission factor, monitoring the natural gas fuel consumption of AC-heaters (Emission Unit A-00012) utilizing a proposed emission factor, monitoring of the #2 low sulfur fuel oil consumption of the electrical generators (Emission Unit G-00123) utilizing a proposed emission factor, monitoring the #2 low sulfur fuel oil consumption of the portable RAP crusher (Emission Unit R-00001), and monitoring the natural gas consumption fired in the two Payne furnaces (Emission Unit B-00001). The monitoring of the number of emission sources via production or fuel consumption rates of the sources is represented by formulae in permit condition #3-10, item 3-10.7 and permit condition #3-17, item #3-17.7.

By monitoring the facility's emission sources and maintaining the combination of production and fuel consumption rates according to the formula of permit condition #3-10, item #3-10.7, the facility will control the annual NO_x emission rate below 24.9 tons for exemption from NO_x RACT standards of 6 NYCRR Parts 227-2 and 212 of 6 NYCRR.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: ASPHALT
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 24.9 tons per year

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Emission Unit: A-00012
Process: P04

Emission Point: 0S008
Emission Source: 0C006

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

Item 3-16.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The natural gas throughput limit for the two AC heaters (Emission Sources 0C005 & 0C006) is 20.3 million cubic feet based on 24 hours per day, 200 days per year.

The owner or operator shall maintain a record of the quantity of the natural gas fired in the two AC heaters (Emission Sources 0C005 & 0C006) at the facility for a period of 5 years.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 20.3 million cubic feet

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 1/30/2013.

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

Condition 3-17: Capping Monitoring Condition
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-17.1:

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

6 NYCRR Subpart 231-2

Item 3-17.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-17.3:

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.

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



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 3-17.4:

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 3-17.5:

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 3-17.6:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: A-00012 Process: P04	Emission Point: 0S007 Emission Source: 0C005
Emission Unit: A-00012 Process: P04	Emission Point: 0S008 Emission Source: 0C006
Emission Unit: B-00001 Process: P03	Emission Point: 0S006 Emission Source: 0C004
Emission Unit: B-00001 Process: P03	Emission Point: 0S011 Emission Source: 0S009
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC01
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC02
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC03
Emission Unit: G-00123 Process: P13	Emission Point: 0S003 Emission Source: 0C001
Emission Unit: G-00123 Process: P13	Emission Point: 0S004 Emission Source: 0C002
Emission Unit: G-00123 Process: P13	Emission Point: 0S005 Emission Source: 0C003
Emission Unit: H-00012	Emission Point: 0S009



Process: P05	Emission Source: 0C007
Emission Unit: H-00012 Process: P05	Emission Point: 0S010 Emission Source: 0C008
Emission Unit: H-00012 Process: P05	Emission Point: 0S012 Emission Source: 0C010
Emission Unit: R-00001 Process: P02	Emission Point: 0S002 Emission Source: RAP02

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-17.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The CO (Carbon Monoxide) emissions are capped at 99.9 tons per year. The owner or operator shall maintain a record of the quantity of each fuel fired at the facility.

The owner or operator shall maintain a record of the HMA or WMA production rate of the rotary drum dryer and the quantity of natural gas fired in the AC heaters (Emission Unit A-00012), the quantity of #2 low sulfur fuel oil fired in the diesel generators (Emission Unit G-00123) at the facility. Also, the owner or operator shall calculate (based on the fuel quantity and HMA / WMA production rates) the CO emissions from the facility using the following formula:

$$\text{HMA}*(0.009) + \text{WMA}*(0.009) + \text{G}*(84) + \text{E}*(0.12) + \text{F}*(0.065) < 199,000 \text{ lbs of CO emissions per year}$$

Where:

HMA = 12-month rolling total production rate of hot mix asphalt in tons per year; "0.009" = lbs CO per ton HMA produced;

WMA = 12-month rolling total production rate of warm mix asphalt in tons per year; "0.009" = lbs CO per ton WMA produced;

G = Summation of 12-month rolling total of natural gas fired in AC heaters (Emission Unit A-00012), gas-fired furnaces (Emission Unit B-00001) and gas fired heaters



Item 4.1:

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

Condition 3-18: Acceptable procedures - Stack test report submittal
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.3

Item 3-18.1:

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

Condition 3-19: Alternate test methods
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.3

Item 3-19.1:

Alternate emission test methods or deviations from acceptable test methods may be utilized if it is impractical to utilize the acceptable test methods or where no applicable test method is available, if prior acceptance of the proposed alternate method is granted by the commissioner.

Condition 3-20: Air pollution prohibited
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 211.1

Item 3-20.1:

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 3-21: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 3-21.1:

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

Emission Unit: D-00001
Process: P01

Emission Point: OS001
Emission Source: APC01

Emission Unit: D-00001
Process: P01

Emission Point: OS001
Emission Source: APC02

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



The stack test must be conducted during the production of virgin mix asphalt as well as during the production of asphalt mixes that use recyclable materials. The tests should be run during maximum production outputs. The testing must use acceptable procedures pursuant to Part 202 of 6 NYCRR.

Process Material: ASPHALT

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.030 grains per 100 dry standard
cubic ft (corrected to 7% O₂)

Reference Test Method: METHOD 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT
ANY TIME

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 5: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 212.10 (d)

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any facility with federally and state enforceable conditions which limit its annual potential to emit of nitrogen oxides and volatile organic compounds below the applicability levels of subdivision 212.10(a) by 5/31/95 is exempt from the Reasonably Available Control Technology (RACT) analysis and implementation requirements of this section. Records must be maintained by the owner or operator at the facility on a monthly basis which verify the facility's annual actual emissions.

An exceedance of the annual potential to emit conditions for any calendar year must be reported by the owner or operator to the Department within thirty days of the end of that calendar year.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY



Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3-22: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 212.11 (a)

Item 3-22.1:

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

Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC01
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC02
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC03
Emission Unit: R-00001 Process: P02	Emission Point: 0S002 Emission Source: RAP02

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

Item 3-22.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The facility is limiting its operation to a maximum hourly production rate of 425 tons of hot mix asphalt (HMA) or warm mix asphalt (WMA), either based upon 100 % virgin mix aggregate or virgin materials with up to a maximum of 40% reclaimed asphalt pavement (RAP), or warm mix asphalt (WMA). The maximum production rate is equivalent to the nameplate rating of the natural gas fired rotary stone dryer (Emission Unit D-00001). The facility must keep records to verify that it operated at a rate not exceeding the maximum rate of hot mix asphalt (HMA) production of 425 tons per hour.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALT

Upper Permit Limit: 425 tons per hour

Monitoring Frequency: HOURLY

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT
ANY TIME

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



Monitoring Description:

- (1) Beginning January 1, 2012, the owner or operator of a hot mix asphalt production plant must analyze the economic feasibility of installing a low NOx burner when it comes time for their current burner to be replaced. This economic analysis must follow an approach acceptable to the department.
- (2) By January 1, 2020, all owners or operators of active plants must have submitted the economic feasibility analysis for the installation of a low NOx burner. A low NOx burner must be installed for that operating year in all instances in which it proves feasible.
- (3) Hot mix asphalt production plants which are in a state of inactivity on January 1, 2020 and have not otherwise complied with the requirements of this subdivision by that date must do so prior to continued operation.
- (4) A similar analysis must be submitted for subsequent burner replacements.
- (5) A low NOx burner will be required at any new hot mix asphalt production plant.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3-25: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 225-1.2 (a)

Item 3-25.1:

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

Emission Unit: G-00123 Process: P13	Emission Point: 0S003 Emission Source: 0C001
Emission Unit: G-00123 Process: P13	Emission Point: 0S004 Emission Source: 0C002
Emission Unit: G-00123 Process: P13	Emission Point: 0S005 Emission Source: 0C003
Emission Unit: R-00001 Process: P02	Emission Point: 0S002 Emission Source: RAP02

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE



Item 3-25.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person in New York City shall use, purchase, sell, or offer for sale any distillate fuel oil (# 2 oil) which has a sulfur content greater than 0.20 percent by weight. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.20 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

Condition 6: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 225-1.8

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:

An owner or operator of a facility which purchases and fires coal and/or fuel oil shall compile and retain records of the following information:

- a. fuel analyses and data on the quantities of all residual and distillate oil and coal received, burned or sold;
- b. the names of all purchasers of all residual and distillate oil and coal sold;
- c. any results of stack sampling, stack monitoring and other procedures used to ensure compliance with the provisions of 6 NYCRR Part 225-1.

Fuel analyses must contain, as a minimum, data on the sulfur content, specific gravity and heating value of any residual oil, distillate oil or coal received, burned or sold. Ash content shall also be included in the fuel



analyses for any residual oil or coal received, burned or sold.

These records shall be retained for a minimum period of three years. If the facility is subject to Title V requirements the minimum record retention period shall be five years. The records shall be made available for inspection by department staff during normal business hours. In addition, copies of such records shall be furnished to department staff upon request. All required sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 7: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 225-1.8 (a)

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:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request.

Monitoring Frequency: PER DELIVERY

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3-26: Performance test methods.
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.8(b), NSPS Subpart A

Item 3-26.1:

Performance testing shall be conducted in accordance with the methods and procedures

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

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

Condition 3-29: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 212.12 (a) (2)

Item 3-29.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: D-00001	Emission Point: 0S001
Process: P01	Emission Source: APC01
Emission Unit: D-00001	Emission Point: 0S001
Process: P01	Emission Source: APC02
Emission Unit: D-00001	Emission Point: 0S001
Process: P01	Emission Source: APC03
Emission Unit: R-00001	Emission Point: 0S002
Process: P02	Emission Source: RAP02

Item 3-29.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A plan must be submitted to the department by March 1, 2011 which details the introduction or continuation of methods by which to reduce the moisture content of the aggregate stockpile(s). Such methods must be implemented that year, or the first subsequent year the plant is in operation.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 8: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date



Applicable Federal Requirement:6 NYCRR 212.6 (a)

Item 8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: D-00001

Item 8.2:

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 from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions when the process is in operation. If any visible emissions are identified, corrective action is required. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

**Condition 12: Emissions from new emission sources and/or modifications
Effective between the dates of 09/21/2005 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 12.1:

This Condition applies to Emission Unit: D-00001 Emission Point: OS001
Process: P01 Emission Source: APC01

Item 12.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 13: Emissions from new emission sources and/or modifications
Effective between the dates of 09/21/2005 and Permit Expiration Date**



Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 13.1:

This Condition applies to Emission Unit: D-00001 Emission Point: 0S001
Process: P01 Emission Source: APC02

Item 13.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 14: Emissions from new emission sources and/or modifications
Effective between the dates of 09/21/2005 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 14.1:

This Condition applies to Emission Unit: D-00001 Emission Point: 0S001
Process: P01 Emission Source: APC03

Item 14.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 16: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-00123

Item 16.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired internal combustion engines which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each internal combustion engine which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).



2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence.

The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 17: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)

Item 17.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-00123

Emission Point: 0S003

Item 17.2:

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60. Opacity shall be monitored on a daily basis whenever the unit is in operation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 18: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)

Item 18.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-00123

Emission Point: 0S004

Item 18.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60. Opacity shall be monitored on a daily basis whenever the unit is in operation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2006.
Subsequent reports are due every 12 calendar month(s).

Condition 19: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.3 (a)

Item 19.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-00123

Emission Point: 0S005

Item 19.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60. Opacity shall be monitored on a daily basis whenever the unit is in operation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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



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

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable 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 20: Contaminant List

Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 20.1:

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

CAS No: 000630-08-0
Name: CARBON MONOXIDE

CAS No: 007446-09-5
Name: SULFUR DIOXIDE

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

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

Condition 3-30: Unavoidable noncompliance and violations

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-1.4

Item 3-30.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment 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 commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after



becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 22: Emission Unit Definition
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 22.1(From Mod 3):

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

Emission Unit: A-00012

Emission Unit Description:

Emission Unit A-00012 consists of two (2) Infernotherm heaters (Emission Sources 0C005 & 0C006), which are used to maintain the temperature of the asphalt tanks during production time. The heaters can be operated from January 1st through December 31st. The heat input capacity for Emission Source 0C005 (Model C2GO-20B) is 3.1 MM Btu/hr, and the heat input capacity for Emission Source 0C006 (Model C1GO-12) is 1.4 MM Btu/hr. The emissions from these two heaters vent from two separate stacks, identified as Emission Points 0S007 & 0S008; respectively. The heaters can fire only 100% natural gas (Process P04).

Building(s): C/A

Item 22.2(From Mod 3):

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

Emission Unit: B-00001

Emission Unit Description:



Emission Unit B-00001 consists of two (2) Payne natural gas furnaces/heaters (Emission Sources 0C004 & 0C009) that provide heat to the Administration/Maintenance Building during the heating season. The furnaces are only fired by natural gas. New York City Department of Transportation (NYCDOT) will not fire #2 fuel oil in the furnaces. Emission Source 0C004 is Model PG9MAB036080 gas fired furnace with a heat input rating of 80,000 Btu/hr. Emission Source 0C009 is Model PG9MAB060140 gas fired furnace with a heat input rating of 138,000 Btu/hr. The flue gases from furnace 0C004 vent from a stack identified as Emission Point 0S006. The flue gases from furnace 0C009 vent from a stack identified as Emission Point 0S011.

Building(s): A/M

Item 22.3(From Mod 3):

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

Emission Unit: D-00001

Emission Unit Description:

Emission Unit D-00001 consists of a rotary gas fired stone dryer (Emission Source APC03), with a maximum capacity of 425 tons of aggregate and/or recycled asphalt pavement (RAP) per hour, which is located at the Hot Mix Asphalt Plant Building. Particulate emissions (Process P01) from the stone loading, transferring and storage systems, including the dryer, controlled by a McCarter multi clone and fabric filter baghouse system (Emission Controls APC01 & APC02). The level of control to limit particulate emissions is equal to 0.03 gr/dscf or a maximum of 16 lbs/hr. The emissions from this stone dryer exit through Emission Point 0S001.

Building(s): BATCH

Item 22.4(From Mod 3):

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

Emission Unit: G-00123

Emission Unit Description:

Emission Unit G-00123 consists of onsite electrical power generation for the asphalt production areas, which is provided by three (3) Caterpillar diesel generators. There are two (2) 900 KW units (Emission Sources 0C002 & 0C003) and one (1) 600 KW unit (Emission Source 0C001). When the facility is producing hot asphalt mix (HAM), with or without recycled asphalt pavement (RAP), or warm asphalt mix, only one (1) 900 KW generator is operational. The other 900 KW generator serves as a back up unit. The



design of the generator systems is such that only one of the two 900 KW generators is physically able to be operated at any one time. The operating 900 KW generator provides power to the electrical equipment serving the natural gas fired rotary stone dryer as well as the conveyor belts, mix drum, drag belt, etc. The 600-KW generator (Emission Source 0C001) previously provided power to the recycled asphalt pavement (RAP) crusher as required. However, this particular RAP crusher is no longer present at the facility. The 600 KW generator may be used occasionally for short periods to replace a 900 KW generator being serviced. The 600 KW generator may be used instead of one of the 900 KW generators for short periods. The 600 KW diesel engine generator (Emission Source 0C001) previously provided power to the recycled asphalt pavement (RAP) crusher (Emission Source RAP01) as required. The portable crusher (Emission Source RAP01) is no longer present at the facility (it was removed on 9/21/2005). RAP01 is being redesignated in this modification as an Eagle RAP crusher complete with its own 325 horsepower diesel engine. The two 900 KW each diesel engines (Emission Sources 0C002 & 0C003) provide power to the electrical equipment serving the rotary dryer. The units are currently capable of burning either 100% low sulfur # 2 fuel oil or a mixture of up to 60% natural gas and 40% low-sulfur fuel oil (Process P13). The flue gases from these three generators vent from three separate stacks identified as Emission Points 0S003, 0S004 & 0S005; respectively.

NYCDOT does not fuel the generators with dual fuel - natural gas and #2 fuel oil simultaneously, or 100% natural gas - and has no intention to do so. In the near-term, it is planned to replace the generated electric power via a substation connected to Consolidated Edison's grid.

Building(s): A/M

Item 22.5(From Mod 3):

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

Emission Unit: H-00012

Emission Unit Description:

Emission Unit H-00012 consists of three (3) gas-fired space heaters (Emission Sources 0C007, 0C008 & 0C010), which are used to provide supplemental heat during the winter season to the Administration/Maintenance Building. These three space heaters only fire natural gas (Process P05). Emission Sources 0C007 and 0C008 are each a Modine gas-fired heater/blower Model PDP 200 with a heat input rating of 200,000 Btu/hr. Emission Source 0C010 is a Modine gas-fired heater/blower Model PDP 175 with a heat input rating of 175,000 Btu/hr. The emissions from these



two heaters identified as Emission Sources 0C007 and 0C008 vent from two separate stacks identified as Emission Points 0S009 & 0S010; respectively. The emissions from the heater identified as Emission Source 0C010 vents from the stack identified as Emission Point 0S012.

Building(s): A/M

Item 22.6(From Mod 3):

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

Emission Unit: R-00001

Emission Unit Description:

Emission Unit R-00001 consists of a KPI-JCI Model FT4240 crusher complete with its own 385 Hp diesel engine (Emission Sources RAP02 in Emission Unit R-00001) that began operating on March 1, 2012 and is used to produce RAP materials (Process P02) at the facility. This was a replacement of the Eagle Crusher Company portable recycled asphalt pavement (RAP) crusher, Model UM 25 (Emission Source RAP01), complete with a 325 horsepower diesel engine that was removed by NYCDOT on 9/21/2005. This emission unit represents another emission source of diesel fuel combustion. The equipment is movable within the site boundaries. The crusher operates only ten (10) to fifteen (15) hours per week when RAP material is available. Operation is planned for a maximum of 20% RAP mixed with virgin HMA based on production rates of HMA. The emissions from this crusher exit through Emission Point 0S002.

The portable RAP crusher that operated the 600-KW generator - the Oneida Boiler Co. #0-1408-4 (Emission Source RAP01) was removed on 9/21/2005 by the previous owner (Grace Asphalt) and not by NYC DOT.

The portable RAP crusher that operated the 600-KW generator - the Oneida Boiler Co. #0-1408-4 (Emission Source RAP01) was replaced by a KPI-JCI Model FT4240 crusher complete with its own 385 Hp diesel engine on March 1, 2012. This KPI-JCI crusher is now designated as Emission Source RAP02 in Emission Unit R-00001. This is the equipment that is at the facility and will be at the facility through 2014. The associated 385 Hp diesel engine is Cat C11-385 Hp engine rated as a Tier 3 with respect to associated air emissions. Based on the emission data from this engine, new emission factors have been calculated for CO and NOx.

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Building(s): RAP

Condition 23: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-5.3 (b)

Item 23.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required in 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 2
47-40 21st Street
Long Island City, NY 11101

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 29: Facility Permissible Emissions
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-7.2 (e)

Item 29.1:

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:

CAS No: 0NY210-00-0 (From Mod 3) PTE: 49,000 pounds
per year

Name: OXIDES OF NITROGEN

Condition 30: Capping Monitoring Condition
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-7.2 (e)

Item 30.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



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 30.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 30.3:

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 30.4:

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 30.5:

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 30.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 30.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: MONTHLY

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 31: Air pollution prohibited
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

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 3-31: Visible Emissions Limited
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

Item 3-31.1:

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 3-32: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 231-1.2 (a) (1)

Item 3-32.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: D-00001
Process: P01

Emission Point: 0S001
Emission Source: APC01

Emission Unit: D-00001
Process: P01

Emission Point: 0S001
Emission Source: APC02

Emission Unit: D-00001
Process: P01

Emission Point: 0S001
Emission Source: APC03

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

Item 3-32.2:



Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to exempt the facility from the NOx-RACT requirements of Parts 212 and 227-2 of 6 NYCRR, the owner decided to maintain the facility's nitrogen oxides emissions below 25 tons per year. In effect the owner is "capping" the facility-wide NOx emissions to an annual amount not to exceed 24.9 tpy.

As part of the capping plan, the maximum asphalt production rate is 1.36 million tons, based upon the maximum hourly production rate of the rotary stone sryer at 425 tons and operation of the facility 16 hours per day for 200 days per year. However, this maximum production rate is overridden by an annual NOx emission cap of 24.9 tons which is tallied from asphalt mix production and associated fuel consumption rates.

The owner or operator will record the daily asphalt production rates from EU D-00001 and along with the daily recording of fuel consumption rates (natural gas and #2 fuel oil) will compute the monthly and the annual NOx emission rates on a daily basis resulting from the asphalt producing operations for comparison to the cap limit of 24.9 tons per the formula of Condition 3-10, Item 3-10.7.

The owner shall submit to NYSDEC an annual report of the annual totals of the asphalt mix production rate, associated fuel consumption rates (#2 fuel oil and natural gas), and calculated total NOx emission rates. The annual totals of the asphalt production rate cannot exceed 1.36 million tons per year and shall be computed on a rolled monthly basis.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALT

Upper Permit Limit: 1360000 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 1/30/2013.

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

Condition 3-33: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 231-1.2 (a) (4)



Item 3-33.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-33.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to avoid the applicability of the Title V of 6 NYCRR 201-6 and the NO_x RACT controls required under Part 227-2, the owner has applied for a cap on its annual NO_x emission rate at 24.9 tons. The calculation of the NO_x emission rates will be based on the formula of Condition # 3-10, item 3-10.7. This requires the owner or operator to maintain a record of the production rate of HMA or WMA. This activity, combined with restrictions on other activities at the emission unit and the facility levels, shall ensure that the facility's annual NO_x emission rate does not exceed 24.9 tons. To accomplish such NO_x emissions limits, the owner limits the following at the facility and the facility's asphalt production as follows:

1. The maximum asphalt production rate is 1.36 million tons, based upon the maximum hourly production rate of the rotary stone dryer at 425 tons and operation of the facility 16 hours per day for 200 days per year. However, this maximum production rate is overridden by an annual NO_x emission cap of 24.9 tons which is tallied from asphalt mix production and associated fuel consumption rates.
2. The owner or operator will record a daily asphalt production rate from EU: D-00001 and along with daily recording of fuel consumption rates (natural gas and #2 fuel oil) will compute the annual NO_x emission rate on a daily basis for comparison to the cap limit of 24.9 tons.
3. The owner or operator shall submit to NYSDEC a report of the annual totals of the asphalt mix production rate, fuel consumption rates, and calculated NO_x emission rate. The annual totals shall be computed on a rolled monthly basis.
4. The owner or operator will monitor and record the facility's asphalt production rate and the fuel usage (#2 fuel oil and natural gas). The owner or operator will



compute each calendar month, the NOx emission rate from the entire facility using AP-42 emission factors or factors established through burner management testing, or the facility can opt to conduct approved stack testing and use that data for the annual NOx emission calculation.

The facility will accept the emission factors for NOx emissions from an approved stack testing that was conducted on May 18-19, 2011, rather than from EPA's AP-42.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

Condition 3-34: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR 231-1.2 (a) (4)

Item 3-34.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-34.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to avoid the applicability of the Title V permit V of 6 NYCRR 201-6 and the applicability of Part 231-1, the the owner has applied for a cap on its annual Carbon Monoxide emission rate at 99.9 tons. The calculation of the Carbon Monoxide emission rates will be based on formula of Condition 3-17, item 3-17.7. This requires the owner or operator to maintain a record of the production rate of HMA or WMA. This activity, combined with restrictions on other activities at the emission unit and the facility levels, shall ensure that the facility's annual CO emission rate does not exceed 99.9 tons. To accomplish such CO emissions limits, the owner limits the following at the facility and the facility's asphalt production as follows:

1. The maximum asphalt production rate is 1.36 million tons, based upon the maximum hourly production rate of the



Emission Unit: A-00012

Emission Point: OS007
Height (ft.): 12 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: C/A

Emission Point: OS008
Height (ft.): 12 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: C/A

Item 34.2(From Mod 3):

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

Emission Unit: B-00001

Emission Point: OS006
Height (ft.): 30 Diameter (in.): 10
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS011
Height (ft.): 30 Diameter (in.): 10
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Item 34.3(From Mod 3):

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

Emission Unit: D-00001

Emission Point: OS001
Height (ft.): 52 Diameter (in.): 54
NYTMN (km.): 4513.273 NYTME (km.): 597.635 Building: BATCH

Item 34.4(From Mod 3):

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

Emission Unit: G-00123

Emission Point: OS003
Height (ft.): 15 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS004
Height (ft.): 15 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS005
Height (ft.): 15 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Item 34.5(From Mod 3):

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



Emission Unit: H-00012

Emission Point: OS009
Height (ft.): 33 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS010
Height (ft.): 33 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS012
Height (ft.): 33 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Item 34.6(From Mod 3):

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

Emission Unit: R-00001

Emission Point: OS002
Height (ft.): 13 Diameter (in.): 60
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: RAP

**Condition 35: Process Definition By Emission Unit
Effective between the dates of 09/21/2005 and Permit Expiration Date**

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 35.1(From Mod 3):

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

Emission Unit: A-00012
Process: P04 Source Classification Code: 3-05-900-03
Process Description:

Process P04 in Emission Unit A00012 consists of two (2) natural gas fired heaters (Emission Sources 0C005 & 0C006), which are used to maintain the proper temperature of the asphalt storage tanks. The heat input capacity for Emission Source 0C005 (Model C2GO-20B) is 3.1 MM Btu/hr, and the heat input capacity for Emission Source 0C006 (Model C1GO-12) is 1.4 MM Btu/hr. The emissions from these two heaters vent from two separate stacks, identified as Emission Points OS007 & OS008; respectively. The heaters can be operated from January 1st through December 31st.

The owners of this asphalt-producing facility have modified the fuel burning capabilities of their two asphalt tank heaters from #2 fuel oil to natural gas. The two asphalt heaters can fire only 100% natural gas.

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



The natural gas throughout limit for the AC heaters is 20.3 million cubic feet based on 24 hours per day, 200 days per year.

Emission Source/Control: 0C005 - Combustion
Design Capacity: 3.1 million Btu per hour

Emission Source/Control: 0C006 - Combustion
Design Capacity: 1.4 million Btu per hour

Item 35.2(From Mod 3):

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

Emission Unit: B-00001

Process: P03

Source Classification Code: 1-03-006-03

Process Description:

Prior to the modification, Process P03 in Emission Unit B-00001 consisted of the firing of low sulfur # 2 fuel oil in a small hot-water boiler (Emission Source 0C004). The capacity of the unit was 1.5 MMBtu/hr and it provided steam for heating the Administration/ Maintenance Building. The unit was used only during the heating season. The flue gases from this boiler vented from a stack, identified as Emission Point 0S006.

After modification, Process P03 in Emission Unit B-00001 will consist of natural gas firing in 2 Payne furnaces (Emission Sources 0C004 & 0C009). The capacity of Emission Source 0C004 is 80,000 Btu/hr, and the capacity of Emission Source 0C009 is 138,000 Btu/hr and they both will provide steam for heating the Administration/ Maintenance Building during the heating season. The flue gases from Emission Source 0C004 will vent from a stack, identified as Emission Point 0S006, and the flue gases from Emission Source 0C009 will vent from a stack, identified as Emission Point 0S011.

Emission Source/Control: 0C004 - Combustion
Design Capacity: 80,000 British thermal units per hour

Emission Source/Control: 0S009 - Combustion
Design Capacity: 138,000 British thermal units per hour

Item 35.3(From Mod 3):

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

Emission Unit: D-00001

Process: P01

Source Classification Code: 3-05-002-51

Process Description:

Process P01 in Emission Unit D-00001 consists of blending, heating, drying and mixing aggregates, as appropriate with asphalt cement to produce a hot asphalt



mix (HMA) or a warm mix asphalt (WMA) at the asphalt batch plant. The rotary natural gas fired stone dryer (Emission Source APC03) has a maximum capacity of 425 tons of aggregate and/or recycled asphalt pavement (RAP) per hour.

The particulate emissions from the stone loading, transferring and storage systems, including the stone natural gas fired rotary are controlled by multi-clone collector and fabric filter baghouse system (Emission Controls APC01 & APC02). The level of control to limit particulate emissions is equal to 0.03 grains per dry standard cubic foot of flue gas or a maximum of 16 lbs/hour. Controlled PM emissions vent through Emission Point 0S001.

The process is subject to NSPS (40 CFR Part 60, Subpart I) and 6 NYCRR 212 regulations.

Emission Source/Control: APC01 - Control
Control Type: MULTIPLE CYCLONE W/O FLY ASH INJECTION

Emission Source/Control: APC02 - Control
Control Type: FABRIC FILTER

Emission Source/Control: APC03 - Process
Design Capacity: 425 tons per hour

Item 35.4(From Mod 3):

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

Emission Unit: G-00123

Process: P13

Source Classification Code: 2-02-001-02

Process Description:

Process P13 in Emission Unit G00123 consists of three (3) Caterpillar diesel engine generators to provide onsite electrical power to the asphalt production areas. There are two (2) 900 KW units (Emission Sources 0C002 & 0C003) and one (1) 600 KW unit (Emission Source 0C001). The three engine generators are fired by #2 low sulfur fuel oil. The operation of one or more of the generators must be in accordance with the formula of permit condition #3-10, item #3-10.7 to limit the NOx annual emission rate below 25 tons. Also, The operation of one or more of the generators must be in accordance with the formula of permit condition #3-16, item #3-16.7 to limit the CO annual emission rate below 100 tons. The two 900 KW engine generator (Emission Sources 0C002 & 0C003) are capable of firing 65.3 gallon per hour each of #2 fuel oil, and the 600 KW engine generator (Emission Source 0C001) can fire 47.6 gallons per hour. The emissions from the three Caterpillar diesel engine generators, Emission Sources 0C001, 0C002 & 0C003 exit through three separate stacks, Emission Points 0S003, 0C004 & 0S005; respectively.



Emission Source/Control: 0C001 - Combustion
Design Capacity: 600 kilowatts

Emission Source/Control: 0C002 - Combustion
Design Capacity: 900 kilowatts

Emission Source/Control: 0C003 - Combustion
Design Capacity: 900 kilowatts

Item 35.5(From Mod 3):

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

Emission Unit: H-00012
Process: P05 Source Classification Code: 1-05-001-06
Process Description:

Process P05 in Emission Unit H00012 consists of the use of three (3) Modine space heaters (Emission Sources 0C007, 0C008 & 0C010) to provide supplemental heat in the Administration and Maintenance building during the winter months.

The capacity of Emission Sources 0C007 & 0C008 is 200,000 Btu/hr each, and the capacity of Emission Source 0C010 is 175,000 Btu/hr. These three space heaters only fire natural gas. The flue gases from the three space heaters vents from three separate stacks, identified as Emission Points 0S009, 0S010 & 0S012; respectively.

Emission Source/Control: 0C007 - Combustion
Design Capacity: 200,000 British thermal units per hour

Emission Source/Control: 0C008 - Combustion
Design Capacity: 200,000 British thermal units per hour

Emission Source/Control: 0C010 - Combustion
Design Capacity: 175,000 British thermal units per hour

Item 35.6(From Mod 3):

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

Emission Unit: R-00001
Process: P02 Source Classification Code: 3-05-006-10
Process Description:

Process P02 in Emission Unit R-00001 consists of crushing the recycled asphalt pavement (RAP) with a KPI-JCI Model FT4240 crusher complete with its own 385 HP diesel engine (Emission Source RAP01) operating on #2 low sulfur fuel oil to produce RAP materials at the facility. It operates when RAP material is available in accordance with the formulae of permit condition #3-16, item #3-16.7. Operation is planned for a maximum of 40% RAP mixed with



virgin HMA based on production rates of HMA. The emissions from this crusher exit through Emission Point OS002. This emission unit represents another emission source of diesel fuel combustion. The equipment is movable within the site boundaries.

Emission Source/Control: RAP02 - Process
Design Capacity: 100 tons per hour

Condition 3-35: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR 231-1.2 (a) (1)

Item 3-35.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: D-00001

Regulated Contaminant(s):

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

Item 3-35.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to exempt the facility from the NO_x-RACT requirements of Parts 212 and 227-2 of 6 NYCRR, the owner decided to maintain the facility's nitrogen oxides emissions below 25 tons per year. In effect the owner is "capping" the facility-wide NO_x emissions to an annual amount not to exceed 24.9 tpy.

As part of the capping plan, the owner does not exceed 1,360,000 tons per year of asphalt production. The 1,360,000 tons is a yearly amount rolled monthly.

The owner will record the daily asphalt production and compute monthly and annually the NO_x emissions resulting from the asphalt producing operations under Emission Unit D-00001.

The owner shall submit to NYSDEC a total annual report rolled monthly of asphalt production and of NO_x emissions from EU D-00001.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALT

Upper Permit Limit: 1,360,000 tons per year

Monitoring Frequency: MONTHLY

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

Condition 3-36: Compliance Demonstration

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 3-36.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: D-00001

Emission Point: 0S001

Process: P01

Item 3-36.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must record the daily, monthly and annual totals of asphalt mix production in tons of asphalt, #2 fuel oil consumption (in gallons), and natural gas consumption (in SCF). The report should include a table of daily, monthly and annual totals of asphalt mix productions. The annual total (calendar year) must not exceed 1,360,000 tons.

Monitoring Frequency: DAILY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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





PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 2-6302-00138/00028
Mod 0 Effective Date: 09/21/2005 Expiration Date: No expiration date.
Mod 1 Effective Date: 01/06/2009 Expiration Date: No expiration date.
Mod 2 Effective Date: 04/07/2010 Expiration Date: No expiration date.
Mod 3 Effective Date: 10/18/2012 Expiration Date: No expiration date.

Permit Issued To: NYC DEPT OF TRANSPORTATION
55 WATER ST 4TH FL
NEW YORK, NY 10041

Contact: ANTHONY BORDENCA
NYC DOT - RRM
448 HAMILTON AVE
BROOKLYN, NY 11232
(718) 369-4246

Facility: HARPER STREET ASPHALT PLANT
30-01 HARPER ST|130-01 NORTHERN BLVD
CORONA, NY 11368

Contact: BIAGIO CANTATORE
NYC DOT- RRM
30-01 HARPER ST/130-01 NORTHERN BLVD
CORONA, NY 11368
(212) 839-2353

Description:

PERMIT DESCRIPTION
Harper Street Asphalt Plant
DEC ID # 2-6302-00138/00028 ASF (Ren 0, Mod 3)

This is a permit modification to do the following:

1. Remove existing inconsistencies among the various permit conditions.
2. Remove specific fuel consumption limits and integrate production limits with other facility emission sources to monitor and specify the two primary emission rate limits necessary to maintain qualification as a synthetic minor facility - CO and NOx annual emission rates, respectively, less than 100



tons and 25 tons.

3. Eliminate equipment no longer present at the facility; accurately represent the current facility operations; render a permit that allows for ease of monitoring the emission limiting conditions; and plan for near-future modifications to the facility that will result in CO and NO_x emission reductions.

4. Update the equipment for Emission Units B-00001, D-00001 and H-0002 to reflect current operations. The modification of Emission Unit R-00001 reflects planned short-term operations.

The facility shall perform annual combustion management testing, as a maintenance practice, on the natural gas fired burner of the rotary stone dryer burner (Emission Source APC03 in Emission Unit D-00001). This testing shall include either verification or re-establishment of: the emission factor - lbs NO_x per ton HMA / WMA - in the formula of Condition #3-10, item #3-10.7; and the emission factor - lbs CO per ton HMA / WMA - in the formula of Condition #3-17, item #3-17.7.

The facility shall perform the annual burner management test within the month of March each calendar year and submit a report to the Department within 60 calendar days. The monitoring frequency is annually, in the month of March each calendar year.

Production rates and fuel consumption of identified facility emission sources will be monitored to calculate CO and NO_x emissions based upon established emission factors or from the annual combustion management testing.

The integration of monitoring HMA production (Emission Unit D-00001) with fuel consumption of the other emission sources, low sulfur #2 fuel oil for Emission Units G-00123 and R-00001; and natural gas for Emission Units A-00012, B-00001 and H-00012 will remove inconsistencies in the current permit.

The modification updates the equipment for Emission Units B-00001, D-00001 and H-00012 to reflect current operations. The modification of Emission Unit R-00001 reflects planned short-term operations.

The Harper Street Asphalt Plant is a facility that produces paving materials used in the Metropolitan New York City area. The facility can be operated both as a batch mix and drum mix plant with and without reclaimed asphalt



pavement (RAP). As a batch plant aggregate and heated liquid asphalt cement are mixed in the Pug mill. As a drum plant reclaimed asphalt pavement (RAP), dried aggregate and heated liquid asphalt cement are mixed in the drum. The facility consists of a rotary stone dryer, two (2) asphalt cement heated storage tanks, three (3) electric power generators, a batch mixer (pug mill), a drum mixer, a RAP crusher complete with a 385 HP engine, material handling equipment, four (4) cold aggregate feed bins, four (4) RAP bins, four (4) hot mix storage silos, a primary cyclone dust collector, a secondary (bag house) dust collector, and heaters and furnaces for the Administration / Maintenance building. The rotary stone dryer is fired by natural gas. The electric generators are fired by low sulfur #2 fuel oil. The building furnaces and heaters are fired by natural gas. The KPI-JCI RAP crusher is fired with low sulfur #2 fuel oil. The facility produces virgin HMA and HMA with a maximum of 40% RAP. In the future the facility also plans to produce warm mix asphalt (WMA). The maximum hourly rate of the rotary stone dryer is 425 tons per hour. The facility plans to operate 16 hours per day, 200 days per year. Therefore, the facility's maximum HMA annual production is 1.36 million tons unless limited by the annual facility emission rates of NO_x or CO from all emission sources at the facility.

The annual facility emission rate for NO_x is 24.9 tons. The annual facility emission rate for CO is 99.9 tons. The facility operation is from January 1st to December 31st.

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: JOHN F CRYAN
NYSDEC
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407

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
 - Applications for Permit Renewals and Modifications
 - Permit modifications, suspensions or revocations by the Department
 - Permit Modifications, Suspensions and Revocations by the Department

Facility Level

- Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS
- Submission of application for permit modification or renewal - REGION 2 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 3-1: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3-1.1:

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 3-1.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3-1.3:

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.

CONSENT TO PERMIT CONDITIONS AND MODIFICATIONS



Applicable State Requirement: 6 NYCRR 621.13

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 expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for 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.

Condition 3-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 3-2.1:

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.

Condition 4: Permit Modifications, Suspensions and Revocations by the Department

Applicable State Requirement: 6 NYCRR 621.14

Item 4.1:

The Department reserves the right 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



the Department related to the permitted activity.

****** Facility Level ******

Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.5 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

Condition 3-3: Submission of application for permit modification or renewal - REGION 2

HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 3-3.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: NYC DEPT OF TRANSPORTATION
55 WATER ST 4TH FL
NEW YORK, NY 10041

Facility: HARPER STREET ASPHALT PLANT
30-01 HARPER ST|130-01 NORTHERN BLVD
CORONA, NY 11368

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

Mod 0 Permit Effective Date: 09/21/2005
date.

Permit Expiration Date: No expiration

Mod 1 Permit Effective Date: 01/06/2009
date.

Permit Expiration Date: No expiration

Mod 2 Permit Effective Date: 04/07/2010
date.

Permit Expiration Date: No expiration

Mod 3 Permit Effective Date: 10/18/2012
date.

Permit Expiration Date: No expiration



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 3-1 6 NYCRR 200.7: Maintenance of Equipment
- 3-2 6 NYCRR 202-1.1: Required Emissions Tests
- 3-3 6 NYCRR 200.7: Compliance Demonstration
- 3-4 6 NYCRR 200.7: Compliance Demonstration
- 3-5 6 NYCRR 200.7: Compliance Demonstration
- 3-6 6 NYCRR 200.7: Compliance Demonstration
- 3-7 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 3-8 6 NYCRR 201-7.2: Facility Permissible Emissions
- *3-9 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-10 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-11 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-12 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-13 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-14 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-15 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-16 6 NYCRR 201-7.2: Capping Monitoring Condition
- *3-17 6 NYCRR 201-7.2: Capping Monitoring Condition
- 3 6 NYCRR 202-1.2: Notification
- 4 6 NYCRR 202-1.3: Acceptable procedures
- 3-18 6 NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
- 3-19 6 NYCRR 202-1.3: Alternate test methods
- 3-20 6 NYCRR 211.1: Air pollution prohibited
- 3-21 6 NYCRR 212.4 (a): Compliance Demonstration
- 5 6 NYCRR 212.10 (d): Compliance Demonstration
- 3-22 6 NYCRR 212.11 (a): Compliance Demonstration
- 3-23 6 NYCRR 212.12 (a) (1): Compliance Demonstration
- 3-24 6 NYCRR 212.12 (b): Compliance Demonstration
- 3-25 6 NYCRR 225-1.2 (a): Compliance Demonstration
- 6 6 NYCRR 225-1.8: Compliance Demonstration
- 7 6 NYCRR 225-1.8 (a): Compliance Demonstration
- 3-26 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 3-27 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 3-28 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

Emission Unit Level

- 3-29 6 NYCRR 212.12 (a) (2): Compliance Demonstration

EU=D-00001

- 8 6 NYCRR 212.6 (a): Compliance Demonstration

EU=D-00001,EP=0S001,Proc=P01,ES=APC01

- 12 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications

EU=D-00001,EP=0S001,Proc=P01,ES=APC02

- 13 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications



EU=D-00001,EP=0S001,Proc=P01,ES=APC03

14 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications

EU=G-00123

16 6 NYCRR 227-1.3: Compliance Demonstration

EU=G-00123,EP=0S003

17 6 NYCRR 227-1.3 (a): Compliance Demonstration

EU=G-00123,EP=0S004

18 6 NYCRR 227-1.3 (a): Compliance Demonstration

EU=G-00123,EP=0S005

19 6 NYCRR 227-1.3 (a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 20 ECL 19-0301: Contaminant List
- 3-30 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 22 6 NYCRR Subpart 201-5: Emission Unit Definition
- 23 6 NYCRR 201-5.3 (b): Compliance Demonstration
- 29 6 NYCRR 201-7.2 (e): Facility Permissible Emissions
- *30 6 NYCRR 201-7.2 (e): Capping Monitoring Condition
- 31 6 NYCRR 211.2: Air pollution prohibited
- 3-31 6 NYCRR 211.2: Visible Emissions Limited
- 3-32 6 NYCRR 231-1.2 (a) (1): Compliance Demonstration
- 3-33 6 NYCRR 231-1.2 (a) (4): Compliance Demonstration
- 3-34 6 NYCRR 231-1.2 (a) (4): Compliance Demonstration

Emission Unit Level

- 34 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 35 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

EU=D-00001

3-35 6 NYCRR 231-1.2 (a) (1): Compliance Demonstration

EU=D-00001,EP=0S001,Proc=P01

3-36 6 NYCRR Subpart 201-5: Compliance Demonstration

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: Emergency Defense - 6 NYCRR 201-1.5

An emergency constitutes an affirmative defense to an action brought 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 and/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;
- (3) During the period of the emergency the facility owner and/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 and/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 and/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 F: 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 G: 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 H: 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 I: 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 J: 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 K: 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 L: 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 M: 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 3-1: Maintenance of Equipment



Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 200.7

Item 3-1.1:

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 3-2: Required Emissions Tests

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 3-2.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 3-3: Compliance Demonstration

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 200.7

Item 3-3.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator shall perform annual combustion management testing, as a maintenance practice, on the natural gas fired burner of the rotary stone dryer burner (Emission Source APC03 in Emission Unit D-00001). This testing shall include either verification or re-establishment of: the emission factor - lbs NOx per ton HMA / WMA - in the formula of Condition #3-10, item #3-10.7; and the emission factor - lbs CO per ton HMA / WMA - in the formula of Condition #3-17, item #3-17.7.

The owner or operator shall perform the annual burner management test within the month of March each calendar



year and submit a report to the Department within 60 calendar days.

"0.12" = EPA AP-42 emission factor for diesel generators firing #2 fuel oil on a lbs CO per gallon basis. It is equivalent to 0.85 lbs CO per million Btu (fuel input) from AP-42 Table 3.4-1.

If the emission factors are re-established, the owner or operator will utilize the revised emission factors in recording and reporting NOx and CO emissions based upon asphalt mix production beginning the date of the field testing. The maximum CO emission factor is 0.0090 lbs CO per ton of asphalt production (HMA/WMA).

The CO emission factor for the rotary dryer, 0.009 lbs of CO per ton of Hot Mix Asphalt, is based on burner management report dated October 31 - November 2, 2011. The emission factor will be verified or re-established through annual burner management testing conducted during the month of March annually. Other emission factors are EPA AP-42 factors.

The Monitoring Frequency is Annually, in the month of March each calendar year.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.0090 pounds CO per ton of Hot Mix Asphalt

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 3/1/2013.

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

Condition 3-4: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.7

Item 3-4.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-4.2:

Compliance Demonstration shall include the following monitoring:



Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator shall perform annual combustion management testing, as a maintenance practice, on the natural gas fired burner of the rotary stone dryer burner (Emission Source APC03 in Emission Unit D-00001). This testing shall include either verification or re-establishment of: the emission factor - lbs NO_x per ton HMA / WMA - in the formula of Condition #3-10, item #3-10.7; and the emission factor - lbs CO per ton HMA / WMA - in the formula of Condition #3-17, item #3-17.7.

The owner or operator shall perform the annual burner management test within the month of March each calendar year and submit a report to the Department within 60 calendar days. The monitoring frequency is annually, in the month of March each calendar year.

If the emission factors are re-established, the owner or operator will utilize the revised emission factors in recording and reporting NO_x and CO emissions based upon asphalt mix production beginning the date of the field testing.

The maximum NO_x emission factor is 3.2 lbs NO_x per million Btu. The emission factor for NO_x for the stationary diesel generators based upon the diesel fuel consumption in gallons is calculated as:

$$[(3.2 \text{ lbs NO}_x / \text{MM Btu}) \times (19,300 \text{ Btu/lb oil}) \times (7.1 \text{ lb oil / gallon oil})] = 0.44 \text{ lb NO}_x / \text{gallon oil}$$

"0.44" is the emission factor for NO_x for the stationary diesel generators based upon the diesel fuel consumption in gallons. It is calculated from the EPA AP-42 emission factor for large stationary diesel engines [Table 3.4-1] of 3.2 lbs NO_x per million Btu fuel input assuming the fuel characteristics of 19,300 Btu per lb fuel and density of 7.1 lbs per gallon [footnote "a" of Table 3.4-1].

"0.101" is the emission factor for NO_x for the diesel engine of the RAP crusher based upon the diesel fuel consumption in gallons. This emission factor is based upon the manufacturer's emission rate data for the model C11-385 Hp engine of 2.5 grams per hp-hr with an associated fuel rate of 21 gallons per hour.



Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: FUEL CONSUMPTION
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.44 pounds per gallon
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 3/1/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 3-5: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.7

Item 3-5.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator shall perform the annual burner management test within the month of March each calendar year and submit a report to the Department within 60 calendar days.

"0.12" = EPA AP-42 emission factor for diesel generators firing #2 fuel oil on a lbs CO per gallon basis. It is equivalent to 0.85 lbs CO per million Btu (fuel input) from AP-42 Table 3.4-1.

If the emission factors are re-established, the owner or operator will utilize the revised emission factors in recording and reporting NOx and CO emissions based upon asphalt mix production beginning the date of the field testing. The maximum CO emission factor is 0.85 lbs CO per million Btu.

The Monitoring Frequency is Annually, in the month of March each calendar year.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: FUEL CONSUMPTION

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.12 pounds per gallon
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: ARITHMETIC MEAN
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 3/1/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 3-6: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.7

Item 3-6.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 3-6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The owner or operator shall perform annual combustion management testing, as a maintenance practice, on the natural gas fired burner of the rotary stone dryer burner (Emission Source APC03 in Emission Unit D-00001). This testing shall include either verification or re-establishment of: the emission factor - lbs NO_x per ton HMA / WMA - in the formula of Condition #3-10, item #3-10.7; and the emission factor - lbs CO per ton HMA / WMA - in the formula of Condition #3-17, item #3-17.7.

If the emission factors are re-established, the owner or operator will utilize the revised emission factors in recording and reporting NO_x and CO emissions based upon asphalt mix production beginning the date of the field testing. The maximum NO_x emission factor is 0.0332 lbs NO_x per ton of asphalt production (HMA/WMA).

The Monitoring Frequency is Annually, in the month of March each calendar year.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: ASPHALT
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.0332 pounds NO_x per ton of Hot Mix



Asphalt
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION
Averaging Method: ARITHMETIC MEAN
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 3/1/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 3-7: Non Applicable requirements
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-6.5 (g)

Item 3-7.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

(From Mod 3)

40 CFR 52.21

Reason: 40 CFR 52-A.21 - Prevention of Significant Deterioration is non-applicable to this facility because the Harper Street Asphalt Plant is not considered to be a major source of SO₂. The three generators emit less than 2.5 tons per year of SO₂ for PSD.

40 CFR Part 60, Subpart A

Reason: 40 CFR 60-A - Standards of Performance for New Stationary Sources, General Provisions, is non-applicable to this facility because NSPS does not apply to generator-engines that produce electricity. Subpart Dc of 40 CFR 60 (NSPS) applies to generator-engines that produce steam only.

40 CFR Part 60, Subpart Dc

Reason: 40 CFR 60-Dc - Standards of Performance for New Stationary Sources is non-applicable to this facility because NSPS (New Source Performance Standards) does not apply to generator-engine that produce electricity. Subpart Dc of 40 CFR 60 (NSPS) applies to generator-engines that produce steam only.

40 CFR 60.92

Emission Unit: D00001 Emission Point: 0S001 Process: P01

Reason: The conditions under 40 CFR 60.92 set the limits for emissions of particulates from hot mix asphalt facilities. The opacity of these emissions may not exceed 20%. The particulate standard to be met is 0.04 grains per dry standard cubic foot from the stack or emission point.



40 CFR 60, Subpart 92, Hot mix asphalt plants - standard for Particulate matter is not applicable to the Harper Street Asphalt Plant. The particulate matter emission limit in 40 CFR 60.92 is superseded by the 0.030 grains per dry standard cubic foot particulate standard in Table 4 - Part 212.9(d) of 6 NYCRR 212.4(a).

40 CFR 60.670 (c) (2)

RAP02

Emission Unit: R00001 Emission Point: 0S002 Process: P02 Source:

Reason: The portable crusher for the recycled asphalt pavement (RAP) with a throughput capacity of less than 150 tons per hour is not subject to the requirements of 40 CFR -OOO.670(c)(2).

The portable crusher at the Harper Street Asphalt Plant has a throughput capacity of only 100 tons per hour.

40 CFR Part 63, Subpart OOO

Reason: 40 CFR 63, Subpart OOO; New Source Performance Standards (NSPS) for nonmetallic mineral processing plants is not applicable to the Harper Street Asphalt Plant since the applicability of the recycled asphalt pavement (RAP) crusher (Emission Source RAP02) in Emission Unit R-00001 is less than 150 tons per hour and the unit is portable.

40 CFR Part 63, Subpart ZZZZ

Reason: 40 CFR 63, Subpart ZZZZ; National Emission Standards for Hazardous Air Pollutants (NESHAPs) for reciprocating internal combustion engines (RICE) is not applicable to the Harper Street Asphalt Plant. The RICE, which is part of the MACT (section 63 NESHAP) NESHAP and became effective on 6/15/2004 is not applicable to the Harper Street Asphalt Plant. The Harper Street Asphalt Plant is not a major source of HAPs.

The RICE NESHAP is applicable to facilities that are major for HAPs, of which the Harper Street Asphalt Plant is not.

The emissions of total HAPs at the Harper Street Asphalt Plant is 6.25 tpy. Total VOC (volatile organic compounds, the category to which most - but not all - HAPs belong) is only 10.4 tons per year, well under the 25 tpy threshold to be considered as major for VOC. The HAPs emissions from stationary RICE are: formaldehyde, acetaldehyde, acrolein, and methanol, in which formaldehyde is the major contributor to HAPs.

Since all three diesel engines at the the Harper Street Asphalt Plant facility are defined as existing 4- Stroke



Lean Burn Stationary RICE units, they are not subject to Subpart ZZZZ of the NESHAP regulations.

Condition 3-8: Facility Permissible Emissions
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 3-8.1:

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:

CAS No: 0NY210-00-0 (From Mod 3) PTE: 49,000 pounds
per year

Name: OXIDES OF NITROGEN

Condition 3-9: Capping Monitoring Condition
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 3-9.1:

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 201-5

Item 3-9.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-9.3:

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 3-9.4:

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 3-9.5:

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



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 3-9.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-9.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to avoid the applicability of the Title V and the NOx-RACT controls required by 6 NYCRR 227-2, the owner has applied for a facility-wide cap of the annual CO emission rate at 99.9 tons. The owner will maintain (hot or warm mix) asphalt production rate records, fuel consumption records for the various emission sources, and utilize the formulae designated in permit condition #3-10, item #3-10.7 and permit condition #3-17, item #3-17.7 to calculate and maintain an annual rolling total of the facility NOx emission rate on a daily basis.

Records of fuel consumption and asphalt production rate shall be maintained on-site for 5 years to demonstrate compliance with the 99.9 tons of CO per year cap.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 99.9 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 1/30/2013.

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

Condition 3-10: Capping Monitoring Condition

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-10.1:

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

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



otherwise be subject to:

6 NYCRR Subpart 201-6

Item 3-10.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-10.3:

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 3-10.4:

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 3-10.5:

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 3-10.6:

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

Emission Unit: A-00012 Process: P04	Emission Point: 0S007 Emission Source: 0C005
Emission Unit: A-00012 Process: P04	Emission Point: 0S008 Emission Source: 0C006
Emission Unit: B-00001 Process: P03	Emission Point: 0S006 Emission Source: 0C004
Emission Unit: B-00001 Process: P03	Emission Point: 0S011 Emission Source: 0S009
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC01
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC02
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC03



Emission Unit: G-00123 Process: P13	Emission Point: 0S003 Emission Source: 0C001
Emission Unit: G-00123 Process: P13	Emission Point: 0S004 Emission Source: 0C002
Emission Unit: G-00123 Process: P13	Emission Point: 0S005 Emission Source: 0C003
Emission Unit: H-00012 Process: P05	Emission Point: 0S009 Emission Source: 0C007
Emission Unit: H-00012 Process: P05	Emission Point: 0S010 Emission Source: 0C008
Emission Unit: H-00012 Process: P05	Emission Point: 0S012 Emission Source: 0C010
Emission Unit: R-00001 Process: P02	Emission Point: 0S002 Emission Source: RAP02

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

Item 3-10.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The NOx (Oxides of Nitrogen) emissions are capped at 24.9 tons per year. The owner or operator shall maintain a record of the quantity of each fuel fired at the facility to demonstrate compliance.

The owner or operator shall maintain a record of the HMA or WMA production rate of the rotary drum dryer and the quantity of natural gas fired in the AC heaters (Emission Unit A-00012), the Payne heaters (Emission Unit B-00001) and the space heaters (Emission Unit H-00012), the quantity of #2 low sulfur fuel oil fired in the diesel generators (Emission Unit G-00123), and the quantity of #2 low sulfur fuel oil fired in the diesel engine of the portable RAP crusher to be relocated at the facility. Also, the owner or operator shall calculate (based on the fuel quantity and the HMA / WMA production rates) the NOx emissions from the facility using the following formula:

$$\text{HMA}*(0.0332) + \text{WMA}*(0.0332) + \text{G}*(100) + \text{E}*(0.44) +$$



$F \cdot (0.101) < 49,000$ lbs of NO_x emissions per year

Where:

HMA = 12-month rolling total production rate of hot mix asphalt in tons per year; "0.033" = lbs NO_x per ton HMA produced;

WMA = 12-month rolling total production rate of warm mix asphalt in tons per year; "0.033" = lbs NO_x per ton WMA produced;

G = Summation of 12-month rolling total of natural gas fired in AC heaters (Emission Unit A-00012), gas-fired furnaces (Emission Unit B-00001) and gas fired heaters (Emission Unit H-00012), in MMSCF/yr;

"100" = EPA AP-42 emission factor for gas fired heaters, lbs NO_x per MMSCF gas;

E = 12-month rolling total of distillate oil fired in diesel generators, gallons/yr;

F = 12-month rolling total of distillate oil fired in diesel engine of RAP crusher, gallons/yr; and

"0.101" = EPA AP-42 is calculated emission factor for diesel generators firing #2 fuel oil on a lbs NO_x per gallon of diesel fuel basis, and is based upon manufacturer's C11-385 Hp Engine emission Data NO_x emission rate of 2.5 grams per hp-hr and fuel rate of 21 gallons per hour.

The NO_x emission factor for the rotary dryer, 0.0332 lbs per ton, is based on burner management report dated October 31 - November 2, 2011. The emission factor will be verified or re-established through annual burner management testing conducted during the month of March annually. Other emission factors are EPA AP-42 factors. The NO_x emission factor for the KPI - JCI Mofel FT4240 RAP crusher is based upon the manufacturer's engine emission data.

Process Material: ASPHALT

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.



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

Condition 3-11: Capping Monitoring Condition
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 3-11.1:

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 3-11.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-11.3:

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 3-11.4:

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 3-11.5:

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 3-11.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-11.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:



In order to avoid the applicability of the Title V and the NOx-RACT controls required by 6 NYCRR 227-2, the owner has applied for a facility-wide cap of the annual NOx emission rate at 24.9 tons. The owner will maintain (hot or warm mix) asphalt production rate records, fuel consumption records for the various emission sources, and utilize the formulae designated in permit condition #3-10, item #3-10.7 and permit condition #3-17, item #3-17.7 to calculate and maintain an annual rolling total of the facility NOx emission rate on a daily basis.

Records of fuel consumption and asphalt production rate shall be maintained on-site for 5 years to demonstrate compliance with the 24.9 tons of NOx per year cap.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

Condition 3-12: Capping Monitoring Condition

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-12.1:

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

6 NYCRR Subpart 231-6

Item 3-12.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-12.3:

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 3-12.4:



Unit G-00123), the 385 HP diesel engine associated with the RAP crusher (Emission Source RAP02 in Emission Unit EU: R00001), and the two 1.5 MM Btu/hr each AC heaters (Emission Sources 0C005 & 0C006 in Emission Unit A-00012), and any other temporarily rented equipment consuming diesel fuel oil that may be used during equipment maintenance must be recorded on a daily basis. This will ensure that the NOx emissions amount to less than 25 tons per year.

To ensure that the diesel engines and the AC heaters operate at optimum conditions, periodic maintenance will be performed in accordance with the manufacturer's specification manual for the units. Other components of the periodic maintenance program for the unit include those actions necessitated by the results of monitoring the following data: diagnostic data obtained after a set number of operating hours, engine oil analysis, and fuel consumption versus power output of the unit.

On a daily basis, the facility will keep records of:

1. The # 2 fuel usage for each generating engine in gallons per day,
2. The natural gas consumption for each generator engine in cubic feet per day,
3. The hours of operation for each generating engine in hours per day.
4. The hours of operation of the rotary dryer.
5. The hours of operation of the RAP crusher and its engine (Tier 3 rated).

Records of #2 fuel oil consumption rates and maintenance of each unit shall be maintained for five years at the facility to demonstrate compliance with the annual NOx cap of 24.9 tons. The facility will then calculate the NOx emissions emanating from the stack of each of the combustion engines and the AC heaters using the tested or accepted AP-42 NOx emission factors.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALT

Upper Permit Limit: 1,360,000 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 1/30/2013.



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

Condition 3-13: Capping Monitoring Condition
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-13.1:

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
6 NYCRR Subpart 231-2

Item 3-13.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-13.3:

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 3-13.4:

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 3-13.5:

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 3-13.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-13.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS



Monitoring Description:

The owner or operator must limit HMA / WMA production, the use of #2 fuel oil in the generators (Emission Unit G-00123) and RAP Crusher engine (Emission Unit R-00001), the use of natural gas in the AC heaters (Emission Unit A-00012), in the rotary gas dryer (Emission Unit D-00001), in the gas-fired furnaces (Emission Unit B-00001) and gas-fired heaters (Emission Unit H-00012) in accordance with the formula in Condition 3-17, item 3-17.7.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 99.9 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 1/30/2013.

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

Condition 3-14: Capping Monitoring Condition

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 3-14.1:

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

6 NYCRR Subpart 231-2

Item 3-14.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-14.3:

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 3-14.4:

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



#3-10, item #3-10.7 and Condition #3-17, item #3-17.7.

The natural gas maximum limitation is a function of the annual production rate of HMA/WMA, the quantity utilized by the AC Heater and the furnaces in the Administrative / Maintenance building, the number of diesel generators utilized during production, and the diesel engine of the RAP crusher as calculated by the formulae in Condition #3-10, item 3-10.7 and Condition #3-17, item #3-17.7. Equipment formerly operated by the 600-Kw diesel generator (portable RAP crusher) is no longer present at the facility. The Harper Street Asphalt plant utilizes a KPI-JCI Model FT4240 RAP crusher that is complete with its own 325 horsepower diesel engine. The facility will operate the AC heaters only on gas firing. The natural gas fired rotary stone dryer (Emission Unit D-00001) has always been operated on natural gas firing; however, the NOx emission rate from this equipment is based on a per ton of production, not directly upon the natural gas consumption as reflected by the format of the EPA Ap-42 factor for hot mix asphalt plants. The emission factors for NOx and CO included in the formulae in Condition #3-10, item #3-10.7 and Condition #3-17, item #3-17.7 will be reaffirmed or re-established on an annual basis via burner management testing.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 24.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

Condition 3-15: Capping Monitoring Condition
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-15.1:

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

6 NYCRR Subpart 231-2

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Item 3-15.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-15.3:

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 3-15.4:

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 3-15.5:

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 3-15.6:

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

Emission Unit: A-00012 Process: P04	Emission Point: 0S007 Emission Source: 0C005
Emission Unit: A-00012 Process: P04	Emission Point: 0S008 Emission Source: 0C006
Emission Unit: B-00001 Process: P03	Emission Point: 0S006 Emission Source: 0C004
Emission Unit: B-00001 Process: P03	Emission Point: 0S011 Emission Source: 0S009
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC01
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC02
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC03
Emission Unit: G-00123 Process: P13	Emission Point: 0S003 Emission Source: 0C001

New York State Department of Environmental Conservation
Permit ID: 2-6302-00138/00028 Facility DEC ID: 2630200138



Emission Unit: G-00123 Emission Point: 0S004
Process: P13 Emission Source: 0C002

Emission Unit: G-00123 Emission Point: 0S005
Process: P13 Emission Source: 0C003

Emission Unit: R-00001 Emission Point: 0S002
Process: P02 Emission Source: RAP02

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

Item 3-15.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The Harper Street Asphalt Plant plans to use certain WORK PRACTICES pertaining to certain operations in order to keep the facility's annual NO_x emissions below the threshold for a major source of 25 tons per year. The WORK PRACTICES encompass monitoring emissions from the natural gas fired rotary stone dryer (Emission Unit D-00001) on the basis of production of HMA and WMA utilizing a proposed emission factor, monitoring the natural gas fuel consumption of AC-heaters (Emission Unit A-00012) utilizing a proposed emission factor, monitoring of the #2 low sulfur fuel oil consumption of the electrical generators (Emission Unit G-00123) utilizing a proposed emission factor, monitoring the #2 low sulfur fuel oil consumption of the portable RAP crusher (Emission Unit R-00001), and monitoring the natural gas consumption fired in the two Payne furnaces (Emission Unit B-00001). The monitoring of the number of emission sources via production or fuel consumption rates of the sources is represented by formulae in permit condition #3-10, item 3-10.7 and permit condition #3-17, item #3-17.7.

By monitoring the facility's emission sources and maintaining the combination of production and fuel consumption rates according to the formula of permit condition #3-10, item #3-10.7, the facility will control the annual NO_x emission rate below 24.9 tons for exemption from NO_x RACT standards of 6 NYCRR Parts 227-2 and 212 of 6 NYCRR.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: ASPHALT
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 24.9 tons per year

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Emission Unit: A-00012
Process: P04

Emission Point: 0S008
Emission Source: 0C006

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

Item 3-16.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The natural gas throughput limit for the two AC heaters (Emission Sources 0C005 & 0C006) is 20.3 million cubic feet based on 24 hours per day, 200 days per year.

The owner or operator shall maintain a record of the quantity of the natural gas fired in the two AC heaters (Emission Sources 0C005 & 0C006) at the facility for a period of 5 years.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 20.3 million cubic feet

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 1/30/2013.

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

Condition 3-17: Capping Monitoring Condition

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Item 3-17.1:

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

6 NYCRR Subpart 231-2

Item 3-17.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 3-17.3:

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.

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



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 3-17.4:

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 3-17.5:

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 3-17.6:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: A-00012 Process: P04	Emission Point: 0S007 Emission Source: 0C005
Emission Unit: A-00012 Process: P04	Emission Point: 0S008 Emission Source: 0C006
Emission Unit: B-00001 Process: P03	Emission Point: 0S006 Emission Source: 0C004
Emission Unit: B-00001 Process: P03	Emission Point: 0S011 Emission Source: 0S009
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC01
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC02
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC03
Emission Unit: G-00123 Process: P13	Emission Point: 0S003 Emission Source: 0C001
Emission Unit: G-00123 Process: P13	Emission Point: 0S004 Emission Source: 0C002
Emission Unit: G-00123 Process: P13	Emission Point: 0S005 Emission Source: 0C003
Emission Unit: H-00012	Emission Point: 0S009



Process: P05	Emission Source: 0C007
Emission Unit: H-00012 Process: P05	Emission Point: 0S010 Emission Source: 0C008
Emission Unit: H-00012 Process: P05	Emission Point: 0S012 Emission Source: 0C010
Emission Unit: R-00001 Process: P02	Emission Point: 0S002 Emission Source: RAP02

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-17.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The CO (Carbon Monoxide) emissions are capped at 99.9 tons per year. The owner or operator shall maintain a record of the quantity of each fuel fired at the facility.

The owner or operator shall maintain a record of the HMA or WMA production rate of the rotary drum dryer and the quantity of natural gas fired in the AC heaters (Emission Unit A-00012), the quantity of #2 low sulfur fuel oil fired in the diesel generators (Emission Unit G-00123) at the facility. Also, the owner or operator shall calculate (based on the fuel quantity and HMA / WMA production rates) the CO emissions from the facility using the following formula:

$$\text{HMA}*(0.009) + \text{WMA}*(0.009) + \text{G}*(84) + \text{E}*(0.12) + \text{F}*(0.065) < 199,000 \text{ lbs of CO emissions per year}$$

Where:

HMA = 12-month rolling total production rate of hot mix asphalt in tons per year; "0.009" = lbs CO per ton HMA produced;

WMA = 12-month rolling total production rate of warm mix asphalt in tons per year; "0.009" = lbs CO per ton WMA produced;

G = Summation of 12-month rolling total of natural gas fired in AC heaters (Emission Unit A-00012), gas-fired furnaces (Emission Unit B-00001) and gas fired heaters



(Emission Unit H-00012), in MMSCF/yr;

"84" = EPA AP-42 emission factor for gas fired heaters,
lbs CO per MMSCF gas;

E = 12-month rolling total of distillate oil fired in
diesel generators, gallons/yr;

F = 12-month rolling total of distillate oil fired in
diesel engine of RAP crusher, gallons/yr; and

"0.065" = EPA AP-42 emission factor for diesel generators
firing #2 fuel oil on a lbs CO per gallon diesel fuel
based upon manufacturer's C11-385 Hp Engine Emission data
CO emission rate of 1.6 grams CO per hp-hr and fuel rate
of 21 gallons per hour. It is equivalent to 0.85 lbs CO
per million Btu (fuel input) from AP-42 Table 3.4-1.

The CO emission factor for the rotary dryer, 0.009 lbs per
ton, is based on burner management report dated October 31
- November 2, 2011. The emission factor will be verified
or re-established through annual burner management testing
conducted during the month of March annually. Other
emission factors are EPA AP-42 factors.

Process Material: ASPHALT

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 99.9 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 1/30/2013.

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

Condition 3: Notification
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.2

Item 3.1:

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

Condition 4: Acceptable procedures
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.3



Item 4.1:

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

Condition 3-18: Acceptable procedures - Stack test report submittal
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.3

Item 3-18.1:

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

Condition 3-19: Alternate test methods
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.3

Item 3-19.1:

Alternate emission test methods or deviations from acceptable test methods may be utilized if it is impractical to utilize the acceptable test methods or where no applicable test method is available, if prior acceptance of the proposed alternate method is granted by the commissioner.

Condition 3-20: Air pollution prohibited
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 211.1

Item 3-20.1:

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 3-21: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 3-21.1:

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

Emission Unit: D-00001
Process: P01

Emission Point: OS001
Emission Source: APC01

Emission Unit: D-00001
Process: P01

Emission Point: OS001
Emission Source: APC02



Emission Unit: D-00001	Emission Point: 0S001
Process: P01	Emission Source: APC03
Emission Unit: R-00001	Emission Point: 0S002
Process: P02	Emission Source: RAP02

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

Item 3-21.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The particulates emissions emanating from the stack of the hot mix asphalt plant (Emission unit D-00001) shall not exceed 0.030 grains per standard cubic foot of undiluted exhaust gas on a dry basis [Table 4 - Part 212.9(d)].

The facility has conducted an initial stack testing on May 18 & 19, 2001. Particulate sampling of the baghouse outlet from the rotary gas-fired dryer at Emission Unit D-00001 was conducted when processing both virgin aggregate and a combination of virgin aggregate and recycled asphalt product (RAP). The results of the particulate testing at Emission Point 0S001 were as follows:

Material Processed lbs/hr	gr/dscf at 7% O2
Virgin Aggregate 3.0	0.028
Combined VA and RAP 4.3	0.029

Therefore, the source is in compliance with the 0.030 gr/dscf particulates emission limitation. The particulates emissions are controlled by a combination of McCarter multi-clone (Model 121) and McCarter fabric filter baghouse system (Model 864), Emission Controls APC01 & APC02; respectively.

The facility may be required to conduct another stack test to verify the particulates emission limit of 0.030 grains per standard cubic foot of undiluted exhaust gas on a dry basis from the hot mix asphalt plant (Emission Unit D-00001) at the discretion of NYSDEC.

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



The stack test must be conducted during the production of virgin mix asphalt as well as during the production of asphalt mixes that use recyclable materials. The tests should be run during maximum production outputs. The testing must use acceptable procedures pursuant to Part 202 of 6 NYCRR.

Process Material: ASPHALT

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.030 grains per 100 dry standard
cubic ft (corrected to 7% O₂)

Reference Test Method: METHOD 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT
ANY TIME

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 5: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 212.10 (d)

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any facility with federally and state enforceable conditions which limit its annual potential to emit of nitrogen oxides and volatile organic compounds below the applicability levels of subdivision 212.10(a) by 5/31/95 is exempt from the Reasonably Available Control Technology (RACT) analysis and implementation requirements of this section. Records must be maintained by the owner or operator at the facility on a monthly basis which verify the facility's annual actual emissions.

An exceedance of the annual potential to emit conditions for any calendar year must be reported by the owner or operator to the Department within thirty days of the end of that calendar year.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY



Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3-22: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 212.11 (a)

Item 3-22.1:

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

Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC01
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC02
Emission Unit: D-00001 Process: P01	Emission Point: 0S001 Emission Source: APC03
Emission Unit: R-00001 Process: P02	Emission Point: 0S002 Emission Source: RAP02

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

Item 3-22.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The facility is limiting its operation to a maximum hourly production rate of 425 tons of hot mix asphalt (HMA) or warm mix asphalt (WMA), either based upon 100 % virgin mix aggregate or virgin materials with up to a maximum of 40% reclaimed asphalt pavement (RAP), or warm mix asphalt (WMA). The maximum production rate is equivalent to the nameplate rating of the natural gas fired rotary stone dryer (Emission Unit D-00001). The facility must keep records to verify that it operated at a rate not exceeding the maximum rate of hot mix asphalt (HMA) production of 425 tons per hour.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALT

Upper Permit Limit: 425 tons per hour

Monitoring Frequency: HOURLY

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT
ANY TIME

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



Monitoring Description:

- (1) Beginning January 1, 2012, the owner or operator of a hot mix asphalt production plant must analyze the economic feasibility of installing a low NOx burner when it comes time for their current burner to be replaced. This economic analysis must follow an approach acceptable to the department.
- (2) By January 1, 2020, all owners or operators of active plants must have submitted the economic feasibility analysis for the installation of a low NOx burner. A low NOx burner must be installed for that operating year in all instances in which it proves feasible.
- (3) Hot mix asphalt production plants which are in a state of inactivity on January 1, 2020 and have not otherwise complied with the requirements of this subdivision by that date must do so prior to continued operation.
- (4) A similar analysis must be submitted for subsequent burner replacements.
- (5) A low NOx burner will be required at any new hot mix asphalt production plant.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3-25: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 225-1.2 (a)

Item 3-25.1:

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

Emission Unit: G-00123 Process: P13	Emission Point: 0S003 Emission Source: 0C001
Emission Unit: G-00123 Process: P13	Emission Point: 0S004 Emission Source: 0C002
Emission Unit: G-00123 Process: P13	Emission Point: 0S005 Emission Source: 0C003
Emission Unit: R-00001 Process: P02	Emission Point: 0S002 Emission Source: RAP02

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE



Item 3-25.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person in New York City shall use, purchase, sell, or offer for sale any distillate fuel oil (# 2 oil) which has a sulfur content greater than 0.20 percent by weight. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.20 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

Condition 6: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 225-1.8

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:

An owner or operator of a facility which purchases and fires coal and/or fuel oil shall compile and retain records of the following information:

- a. fuel analyses and data on the quantities of all residual and distillate oil and coal received, burned or sold;
- b. the names of all purchasers of all residual and distillate oil and coal sold;
- c. any results of stack sampling, stack monitoring and other procedures used to ensure compliance with the provisions of 6 NYCRR Part 225-1.

Fuel analyses must contain, as a minimum, data on the sulfur content, specific gravity and heating value of any residual oil, distillate oil or coal received, burned or sold. Ash content shall also be included in the fuel



analyses for any residual oil or coal received, burned or sold.

These records shall be retained for a minimum period of three years. If the facility is subject to Title V requirements the minimum record retention period shall be five years. The records shall be made available for inspection by department staff during normal business hours. In addition, copies of such records shall be furnished to department staff upon request. All required sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 7: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 225-1.8 (a)

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:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request.

Monitoring Frequency: PER DELIVERY

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3-26: Performance test methods.
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.8(b), NSPS Subpart A

Item 3-26.1:

Performance testing shall be conducted in accordance with the methods and procedures

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

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

Condition 3-29: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 212.12 (a) (2)

Item 3-29.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: D-00001	Emission Point: 0S001
Process: P01	Emission Source: APC01
Emission Unit: D-00001	Emission Point: 0S001
Process: P01	Emission Source: APC02
Emission Unit: D-00001	Emission Point: 0S001
Process: P01	Emission Source: APC03
Emission Unit: R-00001	Emission Point: 0S002
Process: P02	Emission Source: RAP02

Item 3-29.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A plan must be submitted to the department by March 1, 2011 which details the introduction or continuation of methods by which to reduce the moisture content of the aggregate stockpile(s). Such methods must be implemented that year, or the first subsequent year the plant is in operation.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 8: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date



Applicable Federal Requirement:6 NYCRR 212.6 (a)

Item 8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: D-00001

Item 8.2:

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 from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions when the process is in operation. If any visible emissions are identified, corrective action is required. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

**Condition 12: Emissions from new emission sources and/or modifications
Effective between the dates of 09/21/2005 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 12.1:

This Condition applies to Emission Unit: D-00001 Emission Point: OS001
Process: P01 Emission Source: APC01

Item 12.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 13: Emissions from new emission sources and/or modifications
Effective between the dates of 09/21/2005 and Permit Expiration Date**



Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 13.1:

This Condition applies to Emission Unit: D-00001 Emission Point: 0S001
Process: P01 Emission Source: APC02

Item 13.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 14: Emissions from new emission sources and/or modifications
Effective between the dates of 09/21/2005 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 14.1:

This Condition applies to Emission Unit: D-00001 Emission Point: 0S001
Process: P01 Emission Source: APC03

Item 14.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 16: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-00123

Item 16.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired internal combustion engines which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each internal combustion engine which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60. Opacity shall be monitored on a daily basis whenever the unit is in operation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 18: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)

Item 18.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-00123

Emission Point: 0S004

Item 18.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60. Opacity shall be monitored on a daily basis whenever the unit is in operation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2006.
Subsequent reports are due every 12 calendar month(s).

Condition 19: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.3 (a)

Item 19.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: G-00123

Emission Point: 0S005

Item 19.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60. Opacity shall be monitored on a daily basis whenever the unit is in operation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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



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

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable 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 20: Contaminant List

Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 20.1:

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

CAS No: 000630-08-0
Name: CARBON MONOXIDE

CAS No: 007446-09-5
Name: SULFUR DIOXIDE

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

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

Condition 3-30: Unavoidable noncompliance and violations

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-1.4

Item 3-30.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment 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 commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after



becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 22: Emission Unit Definition
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 22.1(From Mod 3):

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

Emission Unit: A-00012

Emission Unit Description:

Emission Unit A-00012 consists of two (2) Infernotherm heaters (Emission Sources 0C005 & 0C006), which are used to maintain the temperature of the asphalt tanks during production time. The heaters can be operated from January 1st through December 31st. The heat input capacity for Emission Source 0C005 (Model C2GO-20B) is 3.1 MM Btu/hr, and the heat input capacity for Emission Source 0C006 (Model C1GO-12) is 1.4 MM Btu/hr. The emissions from these two heaters vent from two separate stacks, identified as Emission Points 0S007 & 0S008; respectively. The heaters can fire only 100% natural gas (Process P04).

Building(s): C/A

Item 22.2(From Mod 3):

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

Emission Unit: B-00001

Emission Unit Description:



Emission Unit B-00001 consists of two (2) Payne natural gas furnaces/heaters (Emission Sources 0C004 & 0C009) that provide heat to the Administration/Maintenance Building during the heating season. The furnaces are only fired by natural gas. New York City Department of Transportation (NYCDOT) will not fire #2 fuel oil in the furnaces. Emission Source 0C004 is Model PG9MAB036080 gas fired furnace with a heat input rating of 80,000 Btu/hr. Emission Source 0C009 is Model PG9MAB060140 gas fired furnace with a heat input rating of 138,000 Btu/hr. The flue gases from furnace 0C004 vent from a stack identified as Emission Point 0S006. The flue gases from furnace 0C009 vent from a stack identified as Emission Point 0S011.

Building(s): A/M

Item 22.3(From Mod 3):

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

Emission Unit: D-00001

Emission Unit Description:

Emission Unit D-00001 consists of a rotary gas fired stone dryer (Emission Source APC03), with a maximum capacity of 425 tons of aggregate and/or recycled asphalt pavement (RAP) per hour, which is located at the Hot Mix Asphalt Plant Building. Particulate emissions (Process P01) from the stone loading, transferring and storage systems, including the dryer, controlled by a McCarter multi clone and fabric filter baghouse system (Emission Controls APC01 & APC02). The level of control to limit particulate emissions is equal to 0.03 gr/dscf or a maximum of 16 lbs/hr. The emissions from this stone dryer exit through Emission Point 0S001.

Building(s): BATCH

Item 22.4(From Mod 3):

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

Emission Unit: G-00123

Emission Unit Description:

Emission Unit G-00123 consists of onsite electrical power generation for the asphalt production areas, which is provided by three (3) Caterpillar diesel generators. There are two (2) 900 KW units (Emission Sources 0C002 & 0C003) and one (1) 600 KW unit (Emission Source 0C001). When the facility is producing hot asphalt mix (HAM), with or without recycled asphalt pavement (RAP), or warm asphalt mix, only one (1) 900 KW generator is operational. The other 900 KW generator serves as a back up unit. The



design of the generator systems is such that only one of the two 900 KW generators is physically able to be operated at any one time. The operating 900 KW generator provides power to the electrical equipment serving the natural gas fired rotary stone dryer as well as the conveyor belts, mix drum, drag belt, etc. The 600-KW generator (Emission Source 0C001) previously provided power to the recycled asphalt pavement (RAP) crusher as required. However, this particular RAP crusher is no longer present at the facility. The 600 KW generator may be used occasionally for short periods to replace a 900 KW generator being serviced. The 600 KW generator may be used instead of one of the 900 KW generators for short periods. The 600 KW diesel engine generator (Emission Source 0C001) previously provided power to the recycled asphalt pavement (RAP) crusher (Emission Source RAP01) as required. The portable crusher (Emission Source RAP01) is no longer present at the facility (it was removed on 9/21/2005). RAP01 is being redesignated in this modification as an Eagle RAP crusher complete with its own 325 horsepower diesel engine. The two 900 KW each diesel engines (Emission Sources 0C002 & 0C003) provide power to the electrical equipment serving the rotary dryer. The units are currently capable of burning either 100% low sulfur # 2 fuel oil or a mixture of up to 60% natural gas and 40% low-sulfur fuel oil (Process P13). The flue gases from these three generators vent from three separate stacks identified as Emission Points 0S003, 0S004 & 0S005; respectively.

NYCDOT does not fuel the generators with dual fuel - natural gas and #2 fuel oil simultaneously, or 100% natural gas - and has no intention to do so. In the near-term, it is planned to replace the generated electric power via a substation connected to Consolidated Edison's grid.

Building(s): A/M

Item 22.5(From Mod 3):

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

Emission Unit: H-00012

Emission Unit Description:

Emission Unit H-00012 consists of three (3) gas-fired space heaters (Emission Sources 0C007, 0C008 & 0C010), which are used to provide supplemental heat during the winter season to the Administration/Maintenance Building. These three space heaters only fire natural gas (Process P05). Emission Sources 0C007 and 0C008 are each a Modine gas-fired heater/blower Model PDP 200 with a heat input rating of 200,000 Btu/hr. Emission Source 0C010 is a Modine gas-fired heater/blower Model PDP 175 with a heat input rating of 175,000 Btu/hr. The emissions from these



two heaters identified as Emission Sources 0C007 and 0C008 vent from two separate stacks identified as Emission Points 0S009 & 0S010; respectively. The emissions from the heater identified as Emission Source 0C010 vents from the stack identified as Emission Point 0S012.

Building(s): A/M

Item 22.6(From Mod 3):

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

Emission Unit: R-00001

Emission Unit Description:

Emission Unit R-00001 consists of a KPI-JCI Model FT4240 crusher complete with its own 385 Hp diesel engine (Emission Sources RAP02 in Emission Unit R-00001) that began operating on March 1, 2012 and is used to produce RAP materials (Process P02) at the facility. This was a replacement of the Eagle Crusher Company portable recycled asphalt pavement (RAP) crusher, Model UM 25 (Emission Source RAP01), complete with a 325 horsepower diesel engine that was removed by NYCDOT on 9/21/2005. This emission unit represents another emission source of diesel fuel combustion. The equipment is movable within the site boundaries. The crusher operates only ten (10) to fifteen (15) hours per week when RAP material is available. Operation is planned for a maximum of 20% RAP mixed with virgin HMA based on production rates of HMA. The emissions from this crusher exit through Emission Point 0S002.

The portable RAP crusher that operated the 600-KW generator - the Oneida Boiler Co. #0-1408-4 (Emission Source RAP01) was removed on 9/21/2005 by the previous owner (Grace Asphalt) and not by NYC DOT.

The portable RAP crusher that operated the 600-KW generator - the Oneida Boiler Co. #0-1408-4 (Emission Source RAP01) was replaced by a KPI-JCI Model FT4240 crusher complete with its own 385 Hp diesel engine on March 1, 2012. This KPI-JCI crusher is now designated as Emission Source RAP02 in Emission Unit R-00001. This is the equipment that is at the facility and will be at the facility through 2014. The associated 385 Hp diesel engine is Cat C11-385 Hp engine rated as a Tier 3 with respect to associated air emissions. Based on the emission data from this engine, new emission factors have been calculated for CO and NOx.

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Building(s): RAP

Condition 23: Compliance Demonstration
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-5.3 (b)

Item 23.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required in 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 2
47-40 21st Street
Long Island City, NY 11101

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 29: Facility Permissible Emissions
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-7.2 (e)

Item 29.1:

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:

CAS No: 0NY210-00-0 (From Mod 3) PTE: 49,000 pounds
per year

Name: OXIDES OF NITROGEN

Condition 30: Capping Monitoring Condition
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-7.2 (e)

Item 30.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



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 30.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 30.3:

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 30.4:

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 30.5:

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 30.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 30.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: MONTHLY

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 31: Air pollution prohibited
Effective between the dates of 09/21/2005 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

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 3-31: Visible Emissions Limited
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

Item 3-31.1:

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 3-32: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 231-1.2 (a) (1)

Item 3-32.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: D-00001
Process: P01

Emission Point: 0S001
Emission Source: APC01

Emission Unit: D-00001
Process: P01

Emission Point: 0S001
Emission Source: APC02

Emission Unit: D-00001
Process: P01

Emission Point: 0S001
Emission Source: APC03

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

Item 3-32.2:



Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to exempt the facility from the NOx-RACT requirements of Parts 212 and 227-2 of 6 NYCRR, the owner decided to maintain the facility's nitrogen oxides emissions below 25 tons per year. In effect the owner is "capping" the facility-wide NOx emissions to an annual amount not to exceed 24.9 tpy.

As part of the capping plan, the maximum asphalt production rate is 1.36 million tons, based upon the maximum hourly production rate of the rotary stone sryer at 425 tons and operation of the facility 16 hours per day for 200 days per year. However, this maximum production rate is overridden by an annual NOx emission cap of 24.9 tons which is tallied from asphalt mix production and associated fuel consumption rates.

The owner or operator will record the daily asphalt production rates from EU D-00001 and along with the daily recording of fuel consumption rates (natural gas and #2 fuel oil) will compute the monthly and the annual NOx emission rates on a daily basis resulting from the asphalt producing operations for comparison to the cap limit of 24.9 tons per the formula of Condition 3-10, Item 3-10.7.

The owner shall submit to NYSDEC an annual report of the annual totals of the asphalt mix production rate, associated fuel consumption rates (#2 fuel oil and natural gas), and calculated total NOx emission rates. The annual totals of the asphalt production rate cannot exceed 1.36 million tons per year and shall be computed on a rolled monthly basis.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALT

Upper Permit Limit: 1360000 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 1/30/2013.

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

Condition 3-33: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 231-1.2 (a) (4)



Item 3-33.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-33.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to avoid the applicability of the Title V of 6 NYCRR 201-6 and the NO_x RACT controls required under Part 227-2, the owner has applied for a cap on its annual NO_x emission rate at 24.9 tons. The calculation of the NO_x emission rates will be based on the formula of Condition # 3-10, item 3-10.7. This requires the owner or operator to maintain a record of the production rate of HMA or WMA. This activity, combined with restrictions on other activities at the emission unit and the facility levels, shall ensure that the facility's annual NO_x emission rate does not exceed 24.9 tons. To accomplish such NO_x emissions limits, the owner limits the following at the facility and the facility's asphalt production as follows:

1. The maximum asphalt production rate is 1.36 million tons, based upon the maximum hourly production rate of the rotary stone dryer at 425 tons and operation of the facility 16 hours per day for 200 days per year. However, this maximum production rate is overridden by an annual NO_x emission cap of 24.9 tons which is tallied from asphalt mix production and associated fuel consumption rates.
2. The owner or operator will record a daily asphalt production rate from EU: D-00001 and along with daily recording of fuel consumption rates (natural gas and #2 fuel oil) will compute the annual NO_x emission rate on a daily basis for comparison to the cap limit of 24.9 tons.
3. The owner or operator shall submit to NYSDEC a report of the annual totals of the asphalt mix production rate, fuel consumption rates, and calculated NO_x emission rate. The annual totals shall be computed on a rolled monthly basis.
4. The owner or operator will monitor and record the facility's asphalt production rate and the fuel usage (#2 fuel oil and natural gas). The owner or operator will



compute each calendar month, the NOx emission rate from the entire facility using AP-42 emission factors or factors established through burner management testing, or the facility can opt to conduct approved stack testing and use that data for the annual NOx emission calculation.

The facility will accept the emission factors for NOx emissions from an approved stack testing that was conducted on May 18-19, 2011, rather than from EPA's AP-42.

Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL TOTAL ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 3-34: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR 231-1.2 (a) (4)

Item 3-34.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-34.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to avoid the applicability of the Title V permit V of 6 NYCRR 201-6 and the applicability of Part 231-1, the the owner has applied for a cap on its annual Carbon Monoxide emission rate at 99.9 tons. The calculation of the Carbon Monoxide emission rates will be based on formula of Condition 3-17, item 3-17.7. This requires the owner or operator to maintain a record of the production rate of HMA or WMA. This activity, combined with restrictions on other activities at the emission unit and the facility levels, shall ensure that the facility's annual CO emission rate does not exceed 99.9 tons. To accomplish such CO emissions limits, the owner limits the following at the facility and the facility's asphalt production as follows:

1. The maximum asphalt production rate is 1.36 million tons, based upon the maximum hourly production rate of the



Emission Unit: A-00012

Emission Point: OS007
Height (ft.): 12 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: C/A

Emission Point: OS008
Height (ft.): 12 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: C/A

Item 34.2(From Mod 3):

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

Emission Unit: B-00001

Emission Point: OS006
Height (ft.): 30 Diameter (in.): 10
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS011
Height (ft.): 30 Diameter (in.): 10
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Item 34.3(From Mod 3):

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

Emission Unit: D-00001

Emission Point: OS001
Height (ft.): 52 Diameter (in.): 54
NYTMN (km.): 4513.273 NYTME (km.): 597.635 Building: BATCH

Item 34.4(From Mod 3):

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

Emission Unit: G-00123

Emission Point: OS003
Height (ft.): 15 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS004
Height (ft.): 15 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS005
Height (ft.): 15 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Item 34.5(From Mod 3):

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



Emission Unit: H-00012

Emission Point: OS009
Height (ft.): 33 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS010
Height (ft.): 33 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Emission Point: OS012
Height (ft.): 33 Diameter (in.): 6
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: A/M

Item 34.6(From Mod 3):

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

Emission Unit: R-00001

Emission Point: OS002
Height (ft.): 13 Diameter (in.): 60
NYTMN (km.): 4513.273 NYTME (km.): 597.725 Building: RAP

**Condition 35: Process Definition By Emission Unit
Effective between the dates of 09/21/2005 and Permit Expiration Date**

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 35.1(From Mod 3):

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

Emission Unit: A-00012
Process: P04 Source Classification Code: 3-05-900-03
Process Description:

Process P04 in Emission Unit A00012 consists of two (2) natural gas fired heaters (Emission Sources 0C005 & 0C006), which are used to maintain the proper temperature of the asphalt storage tanks. The heat input capacity for Emission Source 0C005 (Model C2GO-20B) is 3.1 MM Btu/hr, and the heat input capacity for Emission Source 0C006 (Model C1GO-12) is 1.4 MM Btu/hr. The emissions from these two heaters vent from two separate stacks, identified as Emission Points OS007 & OS008; respectively. The heaters can be operated from January 1st through December 31st.

The owners of this asphalt-producing facility have modified the fuel burning capabilities of their two asphalt tank heaters from #2 fuel oil to natural gas. The two asphalt heaters can fire only 100% natural gas.

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



The natural gas throughout limit for the AC heaters is 20.3 million cubic feet based on 24 hours per day, 200 days per year.

Emission Source/Control: 0C005 - Combustion
Design Capacity: 3.1 million Btu per hour

Emission Source/Control: 0C006 - Combustion
Design Capacity: 1.4 million Btu per hour

Item 35.2(From Mod 3):

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

Emission Unit: B-00001

Process: P03

Source Classification Code: 1-03-006-03

Process Description:

Prior to the modification, Process P03 in Emission Unit B-00001 consisted of the firing of low sulfur # 2 fuel oil in a small hot-water boiler (Emission Source 0C004). The capacity of the unit was 1.5 MMBtu/hr and it provided steam for heating the Administration/ Maintenance Building. The unit was used only during the heating season. The flue gases from this boiler vented from a stack, identified as Emission Point 0S006.

After modification, Process P03 in Emission Unit B-00001 will consist of natural gas firing in 2 Payne furnaces (Emission Sources 0C004 & 0C009). The capacity of Emission Source 0C004 is 80,000 Btu/hr, and the capacity of Emission Source 0C009 is 138,000 Btu/hr and they both will provide steam for heating the Administration/ Maintenance Building during the heating season. The flue gases from Emission Source 0C004 will vent from a stack, identified as Emission Point 0S006, and the flue gases from Emission Source 0C009 will vent from a stack, identified as Emission Point 0S011.

Emission Source/Control: 0C004 - Combustion
Design Capacity: 80,000 British thermal units per hour

Emission Source/Control: 0S009 - Combustion
Design Capacity: 138,000 British thermal units per hour

Item 35.3(From Mod 3):

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

Emission Unit: D-00001

Process: P01

Source Classification Code: 3-05-002-51

Process Description:

Process P01 in Emission Unit D-00001 consists of blending, heating, drying and mixing aggregates, as appropriate with asphalt cement to produce a hot asphalt



mix (HMA) or a warm mix asphalt (WMA) at the asphalt batch plant. The rotary natural gas fired stone dryer (Emission Source APC03) has a maximum capacity of 425 tons of aggregate and/or recycled asphalt pavement (RAP) per hour.

The particulate emissions from the stone loading, transferring and storage systems, including the stone natural gas fired rotary are controlled by multi-clone collector and fabric filter baghouse system (Emission Controls APC01 & APC02). The level of control to limit particulate emissions is equal to 0.03 grains per dry standard cubic foot of flue gas or a maximum of 16 lbs/hour. Controlled PM emissions vent through Emission Point 0S001.

The process is subject to NSPS (40 CFR Part 60, Subpart I) and 6 NYCRR 212 regulations.

Emission Source/Control: APC01 - Control
Control Type: MULTIPLE CYCLONE W/O FLY ASH INJECTION

Emission Source/Control: APC02 - Control
Control Type: FABRIC FILTER

Emission Source/Control: APC03 - Process
Design Capacity: 425 tons per hour

Item 35.4(From Mod 3):

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

Emission Unit: G-00123

Process: P13

Source Classification Code: 2-02-001-02

Process Description:

Process P13 in Emission Unit G00123 consists of three (3) Caterpillar diesel engine generators to provide onsite electrical power to the asphalt production areas. There are two (2) 900 KW units (Emission Sources 0C002 & 0C003) and one (1) 600 KW unit (Emission Source 0C001). The three engine generators are fired by #2 low sulfur fuel oil. The operation of one or more of the generators must be in accordance with the formula of permit condition #3-10, item #3-10.7 to limit the NOx annual emission rate below 25 tons. Also, The operation of one or more of the generators must be in accordance with the formula of permit condition #3-16, item #3-16.7 to limit the CO annual emission rate below 100 tons. The two 900 KW engine generator (Emission Sources 0C002 & 0C003) are capable of firing 65.3 gallon per hour each of #2 fuel oil, and the 600 KW engine generator (Emission Source 0C001) can fire 47.6 gallons per hour. The emissions from the three Caterpillar diesel engine generators, Emission Sources 0C001, 0C002 & 0C003 exit through three separate stacks, Emission Points 0S003, 0C004 & 0S005; respectively.



Emission Source/Control: 0C001 - Combustion
Design Capacity: 600 kilowatts

Emission Source/Control: 0C002 - Combustion
Design Capacity: 900 kilowatts

Emission Source/Control: 0C003 - Combustion
Design Capacity: 900 kilowatts

Item 35.5(From Mod 3):

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

Emission Unit: H-00012
Process: P05 Source Classification Code: 1-05-001-06
Process Description:

Process P05 in Emission Unit H00012 consists of the use of three (3) Modine space heaters (Emission Sources 0C007, 0C008 & 0C010) to provide supplemental heat in the Administration and Maintenance building during the winter months.

The capacity of Emission Sources 0C007 & 0C008 is 200,000 Btu/hr each, and the capacity of Emission Source 0C010 is 175,000 Btu/hr. These three space heaters only fire natural gas. The flue gases from the three space heaters vents from three separate stacks, identified as Emission Points 0S009, 0S010 & 0S012; respectively.

Emission Source/Control: 0C007 - Combustion
Design Capacity: 200,000 British thermal units per hour

Emission Source/Control: 0C008 - Combustion
Design Capacity: 200,000 British thermal units per hour

Emission Source/Control: 0C010 - Combustion
Design Capacity: 175,000 British thermal units per hour

Item 35.6(From Mod 3):

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

Emission Unit: R-00001
Process: P02 Source Classification Code: 3-05-006-10
Process Description:

Process P02 in Emission Unit R-00001 consists of crushing the recycled asphalt pavement (RAP) with a KPI-JCI Model FT4240 crusher complete with its own 385 HP diesel engine (Emission Source RAP01) operating on #2 low sulfur fuel oil to produce RAP materials at the facility. It operates when RAP material is available in accordance with the formulae of permit condition #3-16, item #3-16.7. Operation is planned for a maximum of 40% RAP mixed with



virgin HMA based on production rates of HMA. The emissions from this crusher exit through Emission Point OS002. This emission unit represents another emission source of diesel fuel combustion. The equipment is movable within the site boundaries.

Emission Source/Control: RAP02 - Process
Design Capacity: 100 tons per hour

Condition 3-35: Compliance Demonstration
Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR 231-1.2 (a) (1)

Item 3-35.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: D-00001

Regulated Contaminant(s):

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

Item 3-35.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to exempt the facility from the NO_x-RACT requirements of Parts 212 and 227-2 of 6 NYCRR, the owner decided to maintain the facility's nitrogen oxides emissions below 25 tons per year. In effect the owner is "capping" the facility-wide NO_x emissions to an annual amount not to exceed 24.9 tpy.

As part of the capping plan, the owner does not exceed 1,360,000 tons per year of asphalt production. The 1,360,000 tons is a yearly amount rolled monthly.

The owner will record the daily asphalt production and compute monthly and annually the NO_x emissions resulting from the asphalt producing operations under Emission Unit D-00001.

The owner shall submit to NYSDEC a total annual report rolled monthly of asphalt production and of NO_x emissions from EU D-00001.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALT

Upper Permit Limit: 1,360,000 tons per year

Monitoring Frequency: MONTHLY

New York State Department of Environmental Conservation

Permit ID: 2-6302-00138/00028

Facility DEC ID: 2630200138



Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

Condition 3-36: Compliance Demonstration

Effective between the dates of 10/18/2012 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 3-36.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: D-00001

Emission Point: 0S001

Process: P01

Item 3-36.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must record the daily, monthly and annual totals of asphalt mix production in tons of asphalt, #2 fuel oil consumption (in gallons), and natural gas consumption (in SCF). The report should include a table of daily, monthly and annual totals of asphalt mix productions. The annual total (calendar year) must not exceed 1,360,000 tons.

Monitoring Frequency: DAILY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

