



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 3-1330-00049/02003
Mod 0 Effective Date: 04/25/2006 Expiration Date: No expiration date.
Mod 1 Effective Date: 06/19/2008 Expiration Date: No expiration date.
Mod 2 Effective Date: 11/20/2008 Expiration Date: No expiration date.

Permit Issued To: THALLE INDUSTRIES INC
172 RTE 9
FISHKILL, NY 12524-2932

Contact: THALLE INDUSTRIES INC
172 RTE 9
FISHKILL, NY 12524-2932
(914) 896-5156

Facility: THALLE FISHKILL QUARRY
172 US RTE 9
FISHKILL, NY 12524

Contact: JEFF MANGANELLO
THALLE INDUSTRIES INC
172 US RTE 9
FISHKILL, NY 12524-2932
(845) 896-5156

Description:
Thalle Industries, Inc., Fishkill Quarry is located at 172 Route 9 in the Town of Fishkill, Dutchess County, New York. The facility consists of three emission units: 1-Plant (a drum hot mix plant with a baghouse as control equipment); U-AG001 (a fixed aggregate processing plant consisting of crushers, screens and conveyors); U-AG002 (portable jaw crusher with associated conveyors, screens, sand classifier, and generator set). The asphalt plant and fixed plant run online power.

Facility emissions of Oxides of Nitrogen and Carbon Monoxide are limited below Title V applicability thresholds by capping annual hot mix asphalt production to 1,000,000 tons (based on rolling 12 month average), and by capping the hours of operation of the generator for the aggregate plant to 5,000 hours (based on rolling 12 month average).

New Source Performance Standards 40 CFR 60 Subpart OOO apply to Emission Units U-AG001 and U-AG002. New Source Performance Standards 40 CFR 60 Subpart I apply to Emission Unit 1-Plant. 6NYCRR Subpart 227 applies to the nonexempt generator set and 6NYCRR Subpart 225 identifies fuel use and composition standards when burning No. 2 oil, No. 4 oil, or waste fuel.



The SIC codes for the facility are 1423, 1442 and 2951.

Modification 2

Permit revision which includes the combustion of No. 4 fuel oil within a drum hot mix asphalt burner. The existing parallel flow drum burner (000D1) will be replaced with a new counter flow drum burner (000D2). Also facility will add conveyors within emission unit U-AG001 for transferring finished product directly to large stockpiles.

This modification does not alter the previously established federally enforceable emissions cap.

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: KENNETH R GRZYB
 NYSDEC REGION 3
 21 S PUTT CORNERS RD
 NEW PALTZ, NY 12561

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 3 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS



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

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

Condition 1-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 1-1.1:

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

Item 1-1.2:

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

Item 1-1.3:

Permits are transferrable with the approval of the department unless specifically prohibited by



the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 3: Applications for Permit Renewals and Modifications

Applicable State Requirement: 6NYCRR 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 1-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6NYCRR 621.13

Item 1-2.1:

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 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: 6NYCRR 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 commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 3 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 3 Headquarters
Division of Environmental Permits
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3054

Condition 1-3: Submission of application for permit modification or renewal-REGION 3

HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 1-3.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 3 Headquarters
Division of Environmental Permits
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3054



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: THALLE INDUSTRIES INC
172 RTE 9
FISHKILL, NY 12524-2932

Facility: THALLE FISHKILL QUARRY
172 US RTE 9
FISHKILL, NY 12524

Authorized Activity By Standard Industrial Classification Code:
1423 - CRUSHED AND BROKEN GRANITE
1442 - CONSTRUCTION SAND AND GRAVEL
2951 - PAVING MIXTURES AND BLOCKS

Mod 0 Permit Effective Date: 04/25/2006
date.

Permit Expiration Date: No expiration

Mod 1 Permit Effective Date: 06/19/2008
date.

Permit Expiration Date: No expiration

Mod 2 Permit Effective Date: 11/20/2008
date.

Permit Expiration Date: No expiration



LIST OF CONDITIONS

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Facility Level

- Submission of Applications for Permit Modification or Renewal-REGION 3 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1-1 6NYCRR 201-7: Facility Permissible Emissions
- *2-1 6NYCRR 201-7: Capping Monitoring Condition
- 5 6NYCRR 211.4: VOC prohibited
- 2-2 6NYCRR 212.9(e): Compliance Demonstration
- 2-3 6NYCRR 212.11: Compliance Demonstration
- 2-4 6NYCRR 225-1.2(d): Compliance Demonstration
- 2-5 6NYCRR 225-2.3(b)(3): Compliance Demonstration
- 2-6 6NYCRR 225-2.6: Compliance Demonstration
- 2-7 6NYCRR 225-2.7: Compliance Demonstration
- 2-8 6NYCRR 227-1.3: Compliance Demonstration
- 2-10 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 2-11 40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
- 2-12 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 2-13 40CFR 60.7(c), NSPS Subpart A: Compliance Demonstration
- 2-14 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 2-15 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 2-16 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver
- 2-17 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 2-18 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 2-19 40CFR 60.9, NSPS Subpart A: Availability of information.
- 2-20 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 2-21 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
- 2-9 40CFR 60.12, NSPS Subpart A: Circumvention.
- 2-22 40CFR 60.14, NSPS Subpart A: Modifications.
- 2-23 40CFR 60.15, NSPS Subpart A: Reconstruction
- 2-24 40CFR 60.92(a), NSPS Subpart I: Compliance Demonstration
- 2-25 40CFR 60.93(b), NSPS Subpart I: Compliance Demonstration
- 2-26 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 2-27 40CFR 60.672(c), NSPS Subpart OOO: Compliance Demonstration
- 2-28 40CFR 60.675, NSPS Subpart OOO: Compliance Demonstration



2-29 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 33 ECL 19-0301: Contaminant List
- 34 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 35 6NYCRR 201-5: Emission Unit Definition
- 36 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 37 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 38 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 201-1.2

If an existing emission source was subject to the permitting requirements of 6NYCRR 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 - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 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 Part 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 Part 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 Part 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 6NYCRR Part 202-1.

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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.

Item L: Open Fires - 6 NYCRR Part 215

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item M: 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 N: Federally Enforceable Requirements - 40 CFR 70.6(b)

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

FEDERAL APPLICABLE REQUIREMENTS



The following conditions are federally enforceable.

Condition 1-1: Facility Permissible Emissions
Effective between the dates of 06/19/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 2-1.1:

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

per year CAS No: 000630-08-0 (From Mod 2) PTE: 190,000 pounds

Name: CARBON MONOXIDE

per year CAS No: 0NY210-00-0 (From Mod 2) PTE: 190,000 pounds

Name: OXIDES OF NITROGEN

Condition 2-1: Capping Monitoring Condition
Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Replaces Condition(s) 1-2

Item 2-1.1:

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:

6NYCRR 201-6

Item 2-1.2:

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

Item 2-1.3:

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 2-1.4:

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 2-1.5:

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 2-1.6:

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

Emission Unit: 1-PLANT

Emission Unit: U-AG001

Emission Unit: U-AG002

Regulated Contaminant(s):

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

CAS No: 000630-08-0 CARBON MONOXIDE

Item 2-1.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall comply with the following:

1. Emissions (in tons per consecutive 12 month period) shall not exceed limits for the following pollutants:

CO: 95.0

NOx: 95.0

Production for the Drum hot mix asphalt plant shall not exceed 1,000,000 tons per year, and the generators shall not run more 5,000 hours per year.

2. The following emission factors will be used in calculating emissions:

a) For asphalt drum mix plants when burning No. 2 fuel, No. 4 fuel, and Waste Fuel A:

CO: 0.13

NOx: 0.055

The units for these values are pounds emitted per ton of asphalt produced and are based on USEPA AP-42



factors.

b) For the diesel generator (Gen 1=668 hp):

CO: 0.0055

NOx: 0.024

The units for these values are pounds emitted per horsepower hour of generator operation and are based on USEPA AP-42 factors.

Compliance shall be implemented by establishing production limits for the drum hot mix asphalt plant and operating hour limits for the generator sets.

3. Monthly records of asphalt production and hours of generator operation shall be maintained. The generators shall be equipped with an hour meter to track hours of operation.

Facility shall also employ dust suppression techniques during periods of operation as appropriate.

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 1/30/2009.

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

Condition 5: VOC prohibited

Effective between the dates of 04/25/2006 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 211.4

Item 5.1:

The use of Volatile Organic Compounds to liquefy asphalt used for paving is prohibited, except for:

(1) asphalt used in the production of long-life stockpile material for pavement patching and repair:

(2) asphalt applied at low ambient temperature from October 16th to May 1st; and

(3) asphalt used as a penetrating prime coat for the purpose of preparing an untreated absorbent surface to receive an asphalt surface.

Condition 2-2: Compliance Demonstration

Effective between the dates of 11/20/2008 and Permit Expiration Date



Applicable Federal Requirement:6NYCRR 212.9(e)

Replaces Condition(s) 1-3

Item 2-2.1:

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

Emission Unit: 1-PLANT
Process: NO4 Emission Source: 000D2

Emission Unit: 1-PLANT
Process: P01 Emission Source: 000D2

Emission Unit: 1-PLANT
Process: P02 Emission Source: 000D2

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

Item 2-2.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

This limit applies to the Drum Hot Mix Asphalt
Plant.

The permissible emission rate for solid particulates is
0.030 grains/dscf under 6NYCRR 212.9(e) based on a plant
rated capacity of 400 tons per hour.

The Department reserves the right to request performance
testing to verify compliance. Standard testing procedures
(EPA Method 5) shall be followed.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.030 grains per dscf
Reference Test Method: EPA Method 5
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT
ANY TIME
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-3: Compliance Demonstration
Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 212.11

Replaces Condition(s) 1-4

Item 2-3.1:



The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-PLANT	Emission Point: 00001
Process: NO4	Emission Source: 00BH1

Emission Unit: 1-PLANT	Emission Point: 00001
Process: P01	Emission Source: 00BH1

Emission Unit: 1-PLANT	Emission Point: 00001
Process: P02	Emission Source: 00BH1

Item 2-3.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The facility shall maintain and operate a magnehelic gauge (or equivalent) to measure pressure differential of the drum hot mix asphalt baghouses. The operator will also ensure that the pressure differential remains between 0.5 and 10 inches of water. Maintenance and or replacement of filter media shall be conducted in accordance with good engineering practice and manufacturer specifications.

Facility shall monitor operations by recording pressure differential readings weekly. Records shall be maintained by the facility for five years and made available to the Department upon request.

Parameter Monitored: PRESSURE CHANGE

Lower Permit Limit: 0.5 inches of water

Upper Permit Limit: 10 inches of water

Monitoring Frequency: WEEKLY

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED
RANGE AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-4: Compliance Demonstration

Effective between the dates of 11/20/2008 and Permit Expiration Date

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

Replaces Condition(s) 1-5

Item 2-4.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-PLANT	Emission Source: 000D2
Process: NO4	



Emission Unit: 1-PLANT

Process: P01

Emission Source: 000D2

Emission Unit: 1-PLANT

Process: P02

Emission Source: 000D2

Emission Unit: U-AG002

Process: 2DF

Emission Source: GEN02

Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE

Item 2-4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Thalle Fishkill Quarry shall not use, purchase, sell, or offer for sale any residual, distillate or waste oil A which has a sulfur content greater than the limit presented below. A log of the sulfur in fuel content per delivery shall be maintained on site for a minimum of five years and be made available to the Department upon request

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-5: Compliance Demonstration

Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 225-2.3(b)(3)

Replaces Condition(s) 1-6

Item 2-5.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-PLANT

Process: P02

Emission Point: 00001

Emission Source: 000D2

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

Item 2-5.2:



Any waste oil, fuel oil or mixture of these to be burned which contains between 25 and 250 parts per million (by weight) lead and which meets the limitations of Table 2-1 of section 225-2.4 of this Subpart and does not contain chemical waste.

Blending of waste fuel A with other fuel oils may not be performed. Waste fuel A must be stored separately. Record keeping and limitation requirements specified in Table 2-1 for waste fuel A are specified in conditions contained elsewhere in this permit.

Monitoring Frequency: PER DELIVERY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-7: Compliance Demonstration
Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.7

Replaces Condition(s) 1-8

Item 2-7.1:

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

Emission Unit: 1-PLANT
Process: P02

Emission Point: 00001
Emission Source: 000D2

Item 2-7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Waste fuel A may be burned as fuel in the aggregate dryers associated with these emission units subject to the following provisions:

1. Source owner shall comply with all New York State and Federal regulatory requirements concerning the combustion of waste oil.
2. To ensure that the waste oil burned meets the definition of Waste Fuel A, as set forth in paragraph 225-2.2(b)(9) of 6NYCRR 225-2, source owner shall maintain a record of the analyses, certified by the supplier, of all waste oil burned. Each analysis shall include the following parameters:
 - a. Concentration of total halogens [in ppm, by weight



- (water free basis) of fuel];
- b. Concentration of PCBs [in ppm, by weight (water free basis) of fuel];
- c. Concentration of lead [in ppm, by weight (water free basis) of fuel];
- d. Sulfur Content (in % by weight);
- e. Gross Heat Content (in Btu/gallon).

3. The above parameters, for all waste oil burned, shall meet the following criteria:

- a. total halogens content shall not exceed 1,000 ppm;
- b. PCB content shall not exceed 50 ppm;
- c. lead content shall not exceed 250 ppm;
- d. Sulfur content shall not exceed 1.5% by weight;
- e. heat content shall be at least 125,000 Btu/gallon.

These records shall be kept on site for a period of at least five (5) years and submitted annually to the Department by Jan 30th.

Monitoring Frequency: PER DELIVERY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-8: Compliance Demonstration
Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.3

Replaces Condition(s) 1-9

Item 2-8.1:

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

Emission Unit: U-AG002 Emission Point: P0002
Process: 2DF Emission Source: GEN02

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

Item 2-8.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent



opacity (six minute average), except for one six minute period per hour of not more than 27 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-10: EPA Region 2 address.
Effective between the dates of 11/20/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 2-10.1:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

**Condition 2-11: Date of construction notification - If a COM is not used.
Effective between the dates of 11/20/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 60.7(a), NSPS Subpart A

Item 2-11.1:

Any owner or operator subject to this part shall furnish the Administrator with the following information:

1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;



3) a notification of the actual date of initial start up, post marked within 15 days after such date;

4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;

5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

Condition 2-12: Recordkeeping requirements.

Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.7(b), NSPS Subpart A

Item 2-12.1:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 2-13: Compliance Demonstration

Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.7(c), NSPS Subpart A

Item 2-13.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each six (6) month period (or as appropriate), and shall contain the following information:

1) the magnitude of excess emissions computed, any



conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;

2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;

3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and

4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-14: Facility files for subject sources.
Effective between the dates of 11/20/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 60.7(f), NSPS Subpart A

Item 2-14.1:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 2-15: Performance testing timeline.
Effective between the dates of 11/20/2008 and Permit Expiration Date**

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

Item 2-15.1:

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.



Condition 2-16: Performance Test Methods - Waiver
Effective between the dates of 11/20/2008 and Permit Expiration Date

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

Item 2-16.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

Condition 2-17: Prior notice.
Effective between the dates of 11/20/2008 and Permit Expiration Date

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

Item 2-17.1:

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Condition 2-18: Number of required tests.
Effective between the dates of 11/20/2008 and Permit Expiration Date

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

Item 2-18.1:

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

Condition 2-19: Availability of information.
Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 2-19.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 2-20: Opacity standard compliance testing.
Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 2-20.1:

The following conditions shall be used to determine compliance with the opacity



standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

**Condition 2-21: Compliance with Standards and Maintenance Requirements
Effective between the dates of 11/20/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 60.11(d), NSPS Subpart A

Item 2-21.1:

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

**Condition 2-9: Circumvention.
Effective between the dates of 11/20/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 2-9.1:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 2-22: Modifications.
Effective between the dates of 11/20/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 2-22.1:

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

**Condition 2-23: Reconstruction
Effective between the dates of 11/20/2008 and Permit Expiration Date**



Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 2-23.1:

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 2-24: Compliance Demonstration

Effective between the dates of 11/20/2008 and Permit Expiration Date

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

Replaces Condition(s) 1-10

Item 2-24.1:

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

Emission Unit: 1-PLANT Emission Point: 00001

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

Item 2-24.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Thalle Fishkill Quarry shall not discharge or cause the discharge into the atmosphere any gases which;

1. Contain particulate matter in excess of 90 mg/dscm



(0.04 gr/dscf). However, a more stringent limit of 0.030 grains/dscf shall apply as defined by permit condition under 6NYCRR 212.9(e).

2. Exhibit 20 percent opacity or greater.

The Department reserves the right to request the facility conduct performance testing to verify compliance with the stipulated limits.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 5, Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-25: Compliance Demonstration
Effective between the dates of 11/20/2008 and Permit Expiration Date

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

Item 2-25.1:

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

Emission Unit: 1-PLANT Emission Point: 00001

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

Item 2-25.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Within 180 days of initial start-up Thalle Fishkill Quarry shall submit a protocol and conduct performance tests required in §60.8 for the newly installed counter flow drum (000D2), using as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

The facility shall determine compliance with the particulate matter standards as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf), with an maximum limit of 0.030 grains/dscf



under 6NYCRR 212.9(e)

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity, with limits specified under 40 CFR Subpart I.92(a)

The Department reserves the right to request the facility conduct performance testing at any time to verify compliance with these limits.

Upper Permit Limit: 0.03 grains per dscf

Reference Test Method: Method 5, Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-26: Compliance Demonstration

Effective between the dates of 11/20/2008 and Permit Expiration Date

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

Replaces Condition(s) 1-12, 1-13

Item 2-26.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-AG001

Process: AG1

Emission Source: 0CONV

Emission Unit: U-AG001

Process: AG1

Emission Source: 0SCRE

Emission Unit: U-AG002

Process: AG2

Emission Source: 1SCRE

Emission Unit: U-AG002

Process: AG2

Emission Source: CONV2

Emission Unit: U-AG002

Process: AG2

Emission Source: 2SAND

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-26.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Transfer point on belt conveyors or from any other affected facility any fugitive emissions are limited to



less than 10 percent opacity standards. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

A Method 9 opacity evaluation shall follow the procedures outlined in 40 CFR 60-000.675(c). When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

- (i) There are no individual readings greater than 10 percent opacity; and
- (ii) There are no more than 3 readings of 10 percent for the 1-hour period.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-27: Compliance Demonstration

Effective between the dates of 11/20/2008 and Permit Expiration Date

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

Replaces Condition(s) 1-11, 1-14

Item 2-27.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-AG001

Process: AG1

Emission Source: 00CR2

Emission Unit: U-AG002

Process: AG2

Emission Source: 0CRSH

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-27.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Non metallic mineral processing crusher, at which a



capture system is not used, are limited to less than 15 percent opacity standards. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

A Method 9 opacity evaluation shall follow the procedures outlined in 40 CFR 60-000.675(c). When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

- (i) There are no individual readings greater than 15 percent opacity; and
- (ii) There are no more than 3 readings of 15 percent for the 1-hour period.

Parameter Monitored: OPACITY

Upper Permit Limit: 15 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-28: Compliance Demonstration

Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.675, NSPS Subpart OOO

Item 2-28.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-AG001

Process: AG1

Emission Source: 0CONV

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In conducting the performance tests required in §60.8 for the newly installed conveyors, Method 9 and the procedures in §60.11 shall be used to determine opacity.



When determining compliance with the fugitive emissions standard described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 10 percent opacity; and

(ii) There are no more than 3 readings of 10 percent for the 1-hour period

A protocol shall be submitted and visible emission testing shall be conducted within 180 days of initial startup.

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-29: Compliance Demonstration

Effective between the dates of 11/20/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.676, NSPS Subpart OOO

Replaces Condition(s) 1-15

Item 2-29.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-AG001

Emission Unit: U-AG002

Item 2-29.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Standards for particulate matter (40 CFR 60-000.672) and Test Methods and Procedures (40 CFR 60-000.675) do not apply for replacement equipment of equal or smaller size.

In the event Thalle Fishkill Quarry claim the exemption above, the following information shall be submitted to the Department;



1. For a crusher - Rated capacity (tph) of the existing and replacement equipment
2. For a screening operation - Existing and replacement top screen surface area
3. For a conveyor belt - Existing and replacement belt width

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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 - 6NYCRR Part 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 33: Contaminant List
Effective between the dates of 04/25/2006 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 33.1:

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 34: Unavoidable noncompliance and violations
Effective between the dates of 04/25/2006 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-1.4

Item 34.1:

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 35: Emission Unit Definition
Effective between the dates of 04/25/2006 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 35.1(From Mod 2):

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

Emission Unit: 1-PLANT

Emission Unit Description:

This emission unit consists of a 400 ton per hour Drum Mix Asphalt Plant with one emission point, the baghouse exhaust, (00001). Emission sources are the counter flow drum, (000D2), and the baghouse, (00BH1). The plant will use online power, and the burner may burn No.2 fuel (P01), No. 4 fuel (NO4) or Waste fuel A (P02).

Item 35.2(From Mod 2):

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

Emission Unit: U-AG001

Emission Unit Description:

Stationary nonmetallic mineral dry processing plant consisting of crushers (00CR2), screens (0SCRE), and conveyors lines (0CONV) with associated hoppers. The plant, operated at a nominal throughput rate of 375 tons per hour, utilizes online power and provides materials needed for on site production of hot mix asphalt as well as off site supply to public and private uses. Emissions



from this unit consist of fugitive emissions from the crushers, screens, conveyors, and exempt generators.

The plant includes a 890 hp - Cat emergency generator.

A water spray system is used to control fugitive dust emissions.

Item 35.3(From Mod 2):

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

Emission Unit: U-AG002

Emission Unit Description:

This emission unit is a 500 ton per hour portable aggregate processing plant consisting of crushers (OCRSH), screens (1SCRE), conveyors (CONV2) with associated hoppers, a sand classifier (2SAND), and a nonexempt generator (GEN02). There is one emission point associated with this unit (P0002). Emissions from this unit consist of fugitive emissions from the crushers, screens, conveyors, sand classifier, and the generators.

In addition to the 668 hp permitted generator used to run the unit, a 300 hp exempt diesel generator is located on the LT 105 portable jaw crusher plant and a 63 hp exempt diesel generator is located at the Warrior portable screen plant.

Crushed stone from this unit is conveyed to the primary preparation plant (Emission Unit U-AG001) for further processing.

A water spray system is used to control fugitive dust emissions.

Condition 36: Air pollution prohibited
Effective between the dates of 04/25/2006 and Permit Expiration Date

Applicable State Requirement:6NYCRR 211.2

Item 36.1:

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.

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



Condition 37: Emission Point Definition By Emission Unit
Effective between the dates of 04/25/2006 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 37.1(From Mod 2):

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

Emission Unit: 1-PLANT

Emission Point: 00001

Height (ft.): 21

Length (in.): 35

Width (in.): 47

NYTMN (km.): 4595.024 NYTME (km.): 591.632

Item 37.2(From Mod 2):

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

Emission Unit: U-AG002

Emission Point: P0002

Height (ft.): 12

Diameter (in.): 6

NYTMN (km.): 4595.

NYTME (km.): 591.6

Condition 38: Process Definition By Emission Unit

Effective between the dates of 04/25/2006 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 38.1(From Mod 2):

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

Emission Unit: 1-PLANT

Process: NO4

Process Description:

Drum mix asphalt production using No. 4 oil in the Drum
Burner.

Emission Source/Control: 00BH1 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 000D2 - Process

Design Capacity: 400 tons per hour

Item 38.2(From Mod 2):

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

Emission Unit: 1-PLANT

Process: P01

Process Description:

Drum mix asphalt production using No. 2 oil in the Drum
Burner.

Emission Source/Control: 00BH1 - Control



Control Type: FABRIC FILTER

Emission Source/Control: 000D2 - Process

Item 38.3(From Mod 2):

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

Emission Unit: 1-PLANT

Process: P02

Process Description:

Drum mix asphalt production using Waste Fuel A in the Drum Burner.

Emission Source/Control: 00BH1 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 000D2 - Process

Design Capacity: 400 tons per hour

Item 38.4(From Mod 2):

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

Emission Unit: U-AG001

Process: AG1

Source Classification Code: 3-05-020-06

Process Description:

Mined non metallic mineral processing within a fixed aggregate plant consisting of crushers, screens and conveyors. Processed material used as a component of hot mix asphalt, as well as other residential and commercial uses. A water spray system used to control particulate emissions.

Emission Source/Control: SPRAY - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00CR2 - Process

Design Capacity: 375 tons per hour

Emission Source/Control: 0CONV - Process

Emission Source/Control: 0SCRE - Process

Item 38.5(From Mod 2):

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

Emission Unit: U-AG002

Process: 2DF

Process Description:

Diesel fuel used to operate electric generating sources.

Emission Source/Control: GEN02 - Combustion

Design Capacity: 668 horsepower (mechanical)



Item 38.6(From Mod 2):

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

Emission Unit: U-AG002

Process: AG2

Source Classification Code: 3-05-020-06

Process Description:

Mined non metallic mineral processing within a portable aggregate plant consisting of crushers, screens, conveyors and a sand classifier. Processed material used as a component of hot mix asphalt, as well as other residential and commercial uses. A water spray system used to control particulate emissions.

Emission Source/Control: SPRY1 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 0CRSH - Process

Emission Source/Control: 1SCRE - Process

Emission Source/Control: 2SAND - Process

Emission Source/Control: CONV2 - Process

