



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 4-1928-00019/00009  
Effective Date: 01/15/2010                      Expiration Date: No expiration date

Permit Issued To: TILCON NEW YORK INC  
162 OLD MILL RD  
WEST NYACK, NY 10994

Contact: CL STONE LLC  
299 DUFFY AVE  
HICKSVILLE, NY 11801  
(718) 961-8888

Facility: HIGH HILL ROAD PIT  
HIGH HILL RD - E OF MOUNTAIN RD  
EARLTON, NY 12051

Description:  
The facility is a mobile and portable rock crushing and screening plant at a permitted stone aggregate quarry site encompassing about 32 acres. The plant is composed of 2 crushers, 3 screen units, material conveyors, and 3 diesel power units. A facility equipment list is provided on continuation sheet 1. Wet suppression is used for dust control, and is supplied with the equipment.

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: MICHAEL T HIGGINS  
DIVISION OF ENVIRONMENTAL PERMITS  
1130 N WESTCOTT RD  
SCHENECTADY, NY 12306-2014

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



**Notification of Other State Permittee Obligations**

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

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

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

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

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

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

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

**Facility Level**

- Submission of application for permit modification or renewal-REGION 4 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: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before 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.



**Applicable State Requirement: 6 NYCRR 621.13**

**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 application for permit modification or renewal-REGION 4 HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

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

NYSDEC Regional Permit Administrator  
Region 4 Headquarters  
Division of Environmental Permits  
1130 North Westcott Rd.  
Schenectady, NY 12306-2014  
(518) 357-2069

**New York State Department of Environmental Conservation**

Permit ID: 4-1928-00019/00009

Facility DEC ID: 4192800019



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: TILCON NEW YORK INC  
162 OLD MILL RD  
WEST NYACK, NY 10994

Facility: HIGH HILL ROAD PIT  
HIGH HILL RD - E OF MOUNTAIN RD  
EARLTON, NY 12051

Authorized Activity By Standard Industrial Classification Code:  
1429 - CRUSHED AND BROKEN STONE NEC

Permit Effective Date: 01/15/2010  
date.

Permit Expiration Date: No expiration  
date.



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 2 6 NYCRR 201-7.2: Facility Permissible Emissions
- \*3 6 NYCRR 201-7.2: Capping Monitoring Condition
- 4 6 NYCRR 212.6 (a): Compliance Demonstration
- 5 6 NYCRR 227-1.3 (a): Compliance Demonstration
- 6 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions
- 7 40CFR 60.4206, NSPS Subpart IIII: Duration of emission standards for new stationary compression ignition IC engines
- 1 40CFR 60.4218, NSPS Subpart IIII: General Provisions
- 8 40CFR 60.676(i)(2), NSPS Subpart OOO: Compliance Demonstration
- 9 40CFR 63.6590(c), Subpart ZZZZ: Stationary RICE subject to Regulations under 40 CFR Part 60

#### Emission Unit Level

#### EU=1-GSC01,Proc=P01

- 10 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 11 40CFR 60.674(b), NSPS Subpart OOO: Compliance Demonstration
- 12 40CFR 60.676(b)(1), NSPS Subpart OOO: Compliance Demonstration
- 13 40CFR 60.4204(a), NSPS Subpart IIII: Compliance Demonstration
- 14 40CFR 60.4204(a), NSPS Subpart IIII: Compliance Demonstration

#### EU=1-GSC01,Proc=P02

- 15 40CFR 60.4204(a), NSPS Subpart IIII: Compliance Demonstration
- 16 40CFR 60.4204(a), NSPS Subpart IIII: Compliance Demonstration

#### EU=1-GSC01,Proc=P02

- 17 40CFR 60.4207(a), NSPS Subpart IIII: Compliance Demonstration
- 18 40CFR 60.4207(a), NSPS Subpart IIII: Compliance Demonstration
- 19 40CFR 60.4207(a), NSPS Subpart IIII: Compliance Demonstration

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 20 ECL 19-0301: Contaminant List
- 21 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 22 6 NYCRR Subpart 201-5: Emission Unit Definition
- 23 6 NYCRR 211.2: Air pollution prohibited
- 24 6 NYCRR 211.2: Fugitive Dust Control Plan
- 25 6 NYCRR 211.2: Preventative measures for fugitive particulate emissions.
- 26 6 NYCRR 211.2: Compliance Demonstration

#### Emission Unit Level

- 27 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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



required to operate such device effectively.

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

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

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Item E: 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: Visible Emissions Limited - 6 NYCRR 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 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 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 2: Facility Permissible Emissions**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.2**

**Item 2.1:**

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

PTE: 286,224 pounds per year

Name: OXIDES OF NITROGEN

**Condition 3: Capping Monitoring Condition**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.2**

**Item 3.1:**

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 201-6.1 (a)

**Item 3.2:**

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

**Item 3.3:**

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 3.4:**

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 3.5:**

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 3.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 3.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner and/or operator shall maintain records on site which indicate that the emissions of NO<sub>x</sub> (Oxides of Nitrogen) will be less than or equal to 67,962 pounds over any 12 consecutive months.

The facility will keep records of the daily fuel use for each of the following pieces of equipment:

- LT100 Screen
- LT300HP Crusher
- C110 Crusher

The facility shall maintain monthly records and a 12-month rolling total of the total gallons of diesel fuel burned for each of the three listed pieces of equipment. The total gallons of diesel fuel burned for each 12-month total shall be less than 112,464 gallons, which was calculated using the AP-42 emission factor of 4.41 lb NO<sub>x</sub>/million Btu of diesel fuel.

The facility shall maintain all records on site for a period of five years and make them available to the Department upon request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: FUEL CONSUMPTION

Upper Permit Limit: 112464 gallons per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



**New York State Department of Environmental Conservation**

Permit ID: 4-1928-00019/00009

Facility DEC ID: 4192800019



visible emissions are noted above the upper limit specified, corrective action is required.

Daily records of observations are to be maintained, including corrective actions taken and explanations for days when weather conditions are prohibitive, on-site for a period of five years.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20.0 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 5: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

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

**Item 5.1:**

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

Emission Unit: 1-GSC01

Process: P02

**Item 5.2:**

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 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.



The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 6: Applicability of Subpart A General Provisions**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

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

**Item 6.1:**

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

**Condition 7: Duration of emission standards for new stationary**  
**compression ignition IC engines**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.4206, NSPS Subpart IIII**

**Item 7.1:**

This Condition applies to:

Emission Unit: 1GSC01

Process: P02

**Item 7.2:**

Owners and operators of a stationary compression ignition internal combustion engine (CI ICE)



must operate and maintain the stationary CI ICE that achieves the emission standards as required in §§60.4204 and 60.4205 according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.

**Condition 1: General Provisions**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.4218, NSPS Subpart IIII**

**Item 1.1:**

Table 8 of Subpart IIII shows which parts of the general provisions in §§60.1-60.19 (Subpart A) apply to any facility that is subject to 40 CFR 60, Subpart IIII.

**Condition 8: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.676(i)(2), NSPS Subpart**

**OOO**

**Item 8.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of portable aggregate processing plants must notify the administrator of the actual date of initial startup which shall include the home office and the current address or location of the portable plant.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 9: Stationary RICE subject to Regulations under 40 CFR Part 60**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.6590(c), Subpart ZZZZ**

**Item 9.1:**

This Condition applies to:

Emission Unit: 1GSC01  
Process: P02

**Item 9.2: An affected source that is a new or reconstructed stationary RICE located at an area source must meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the**



requirements of 40 CFR Part 60 Subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

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

**Condition 10: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

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

**Item 10.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-GSC01  
Process: P01

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under 40 CFR Part 60.11, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 12 percent opacity.

The owner/operator must demonstrate compliance with this limit by conducting an initial performance test according to §60.11 and 60.675.

If the facility does not use water sprays to control fugitive emissions, then a repeat performance test must be conducted according to §60.11 and 60.675 with five years from the previous performance test.

Parameter Monitored: OPACITY  
Upper Permit Limit: 12 percent  
Reference Test Method: Method 9  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 11: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**



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

**Item 11.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-GSC01  
Process: P01

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

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

Monitoring Frequency: MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 12: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.676(b)(1), NSPS Subpart OOO**

**Item 12.1:**

The Compliance Demonstration activity will be performed for:



Emission Unit: 1-GSC01  
Process: P01

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

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of affected facilities (as defined in §§60.670 and 60.671) for which construction, modification, or reconstruction commenced on or after April 22, 2008, must record each periodic inspection required under §60.674(b) or (c), including dates and any corrective actions taken, in a logbook (in written or electronic format). The owner or operator must keep the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to NYSDEC upon request.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 13: Compliance Demonstration**

**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.4204(a), NSPS Subpart III**

**Item 13.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-GSC01  
Process: P02 Emission Source: 000P1

Emission Unit: 1-GSC01  
Process: P02 Emission Source: 000P2

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

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a non-emergency pre-2007 model year stationary compression ignition (CI) internal combustion engine (ICE) with a displacement of less than 10 liters per cylinder and having a maximum engine power



of greater than or equal to 130 kW (175 HP) must not exceed 11.4 g/kW-hr (8.5 g/HP-hr) of CO (carbon monoxide).

Compliance with this limit will be determined by conducting an initial performance test according to the requirements set forth in 40 CFR 60.4212. This requirement may be waived if the permittee can demonstrate compliance with the applicable emission limit by any of the following alternate methods listed below as per 40 CFR 60.4211(b)(1) thru (4):

(1) Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in 40 CFR 60, Subpart IIII and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

Upper Permit Limit: 11.4 grams per kilowatt hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 14: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.4204(a), NSPS Subpart IIII**

**Item 14.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-GSC01

Process: P02

Emission Source: 000P1

Emission Unit: 1-GSC01

Process: P02

Emission Source: 000P2

Regulated Contaminant(s):

CAS No: 0NY508-00-1 40 CFR 60 SUBPART IIII - HYDROCARBONS



**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a non-emergency pre-2007 model year stationary compression ignition (CI) internal combustion engine (ICE) with a displacement of less than 10 liters per cylinder and having a maximum engine power of greater than or equal to 130 kW (175 HP) must not exceed 1.3 g/kW-hr (1.0 g/HP-hr) of HC (hydrocarbons). Compliance with this limit will be determined by conducting an initial performance test according to the requirements set forth in 40 CFR 60.4212. This requirement may be waived if the permittee can demonstrate compliance with the applicable emission limit by any of the following alternate methods listed below as per 40 CFR 60.4211(b)(1) thru (4):

- (1) Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.
- (2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in 40 CFR 60, Subpart IIII and these methods must have been followed correctly.
- (3) Keeping records of engine manufacturer data indicating compliance with the standards.
- (4) Keeping records of control device vendor data indicating compliance with the standards.

Upper Permit Limit: 1.3 grams per kilowatt hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 15: Compliance Demonstration**

**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.4204(a), NSPS Subpart IIII**

**Item 15.1:**

The Compliance Demonstration activity will be performed for:



Emission Unit: 1-GSC01  
Process: P02

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

**Item 15.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a non-emergency pre-2007 model year stationary compression ignition (CI) internal combustion engine (ICE) with a displacement of less than 10 liters per cylinder and having a maximum engine power of greater than or equal to 37 kW (50 HP) must not exceed 9.2 g/kW-hr (6.9 g/HP-hr) of NO<sub>x</sub> (oxides of nitrogen). Compliance with this limit will be determined by conducting an initial performance test according to the requirements set forth in 40 CFR 60.4212. This requirement may be waived if the permittee can demonstrate compliance with the applicable emission limit by any of the following alternate methods listed below as per 40 CFR 60.4211(b)(1) thru (4):

- (1) Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.
- (2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in 40 CFR 60, Subpart IIII and these methods must have been followed correctly.
- (3) Keeping records of engine manufacturer data indicating compliance with the standards.
- (4) Keeping records of control device vendor data indicating compliance with the standards.

Upper Permit Limit: 9.2 grams per kilowatt hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 16: Compliance Demonstration**



**New York State Department of Environmental Conservation**

Permit ID: 4-1928-00019/00009

Facility DEC ID: 4192800019



indicating compliance with the standards.

Upper Permit Limit: 0.54 grams per kilowatt hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING  
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 17: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.4207(a), NSPS Subpart IIII**

**Item 17.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-GSC01

Process: P02

**Item 17.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Beginning October 1, 2007, the owner or operator of a stationary compression ignition internal combustion engine which is subject to the requirements of subpart IIII of 40 CFR Part 60 may not fire diesel fuel above a maximum aromatic content of 35 percent per gallon as referenced in 40 CFR Part 80.510(a). Compliance shall be demonstrated by either sampling each delivery and conducting an appropriate analysis or by obtaining a certificate of analysis showing the aromatic content for each shipment of diesel fuel provided by the fuel supplier. In either case, the owner or operator must verify that any required fuel analysis has been conducted using methodology acceptable to the Department. Records of all certificates of analysis provided by the fuel supplier and on-site fuel sampling results must be maintained on site for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: AROMATIC CONTENT

Upper Permit Limit: 35 percent

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**New York State Department of Environmental Conservation**

Permit ID: 4-1928-00019/00009

Facility DEC ID: 4192800019



**Condition 18: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.4207(a), NSPS Subpart IIII**

**Item 18.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-GSC01

Process: P02

**Item 18.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Beginning October 1, 2007, the owner or operator of a stationary compression ignition internal combustion engine which is subject to the requirements of subpart IIII of 40 CFR Part 60 may not fire diesel fuel below a minimum cetane index of 40 per gallon as referenced in 40 CFR Part 80.510(a). Compliance shall be demonstrated by either sampling each delivery and conducting an appropriate analysis or by obtaining a certificate of analysis showing the cetane index for each shipment of diesel fuel provided by the fuel supplier. In either case, the owner or operator must verify that any required fuel analysis has been conducted using methodology acceptable to the Department. Records of all certificates of analysis provided by the fuel supplier and on-site fuel sampling results must be maintained on site for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: CETANE INDEX

Lower Permit Limit: 40 ratio

Monitoring Frequency: PER DELIVERY

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 19: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.4207(a), NSPS Subpart IIII**

**Item 19.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-GSC01

**New York State Department of Environmental Conservation**

Permit ID: 4-1928-00019/00009

Facility DEC ID: 4192800019



Process: P02

**Item 19.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Beginning October 1, 2007, the owner or operator of a stationary compression ignition internal combustion engine which is subject to the requirements of subpart IIII of 40 CFR Part 60 may not fire diesel fuel which exceeds a sulfur content of 500 ppm per gallon as referenced in 40 CFR Part 80.510(a). Compliance shall be demonstrated by either sampling each delivery and conducting an appropriate analysis or by obtaining a certificate of analysis showing the sulfur content or range of sulfur content for each shipment of diesel fuel provided by the fuel supplier. In either case, the owner or operator must verify that any required fuel analysis has been conducted using methodology acceptable to the Department. Records of all certificates of analysis provided by the fuel supplier and on-site fuel sampling results must be maintained on site for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 500 parts per million by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**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 01/15/2010 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: 0NY075-00-0  
Name: PARTICULATES

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

CAS No: 0NY508-00-1  
Name: 40 CFR 60 SUBPART IIII - HYDROCARBONS

**Condition 21: Unavoidable noncompliance and violations**

**Effective between the dates of 01/15/2010 and Permit Expiration Date**

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

**Item 21.1:**

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 superceded 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 01/15/2010 and Permit Expiration Date**

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

**Item 22.1:**

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

Emission Unit: 1-GSC01

Emission Unit Description:

This emission unit is a portable rock crushing and screening plant for the production of stone construction aggregate. The plant consists of 2 crushers, 3 screens, assorted conveyors, and 3 diesel power units which supply power to the facility.

**Condition 23: Air pollution prohibited**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 23.1:**

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 24: Fugitive Dust Control Plan**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 24.1:**

The facility shall suppress fugitive dust in accordance with their Fugitive Dust Control Plan. A copy of the Fugitive Dust Control Plan shall be maintained with the permit for this facility at all times.

**Condition 25: Preventative measures for fugitive particulate emissions.**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 25.1: Fugitive particulate emissions must be reasonably controlled at each site of operations.** The permittee shall use, but is not limited to water spray dust suppression equipment on all processes, storage piles, haul roads, etc. as needed to insure that no visible emissions extend beyond the property line of the facility. The permittee shall not operate any process emissions source at the facility without functional water spray dust suppression equipment. In the event of failure of such fugitive particulate emission control equipment due to weather, mechanical breakdown, or other conditions, the facility shall cease operation of its portable equipment if unable to operate within the permitted parameters without the use of such control equipment.

**Condition 26: Compliance Demonstration**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 26.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 26.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No waste oil is to be used for fugitive dust control.  
Plant roadways and stockpiles must be watered and/or treated with an approved dust suppressant, as appropriate, and speed limited to preclude emissions of dust which is determined to be in violation of 6 NYCRR 211.2 which states:

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.

If complaints of current excess dust are received, then the facility must immediately apply corrective measure, as necessary to comply with the requirements of 6 NYCRR 211.2 as noted above. A log of any complaints received must be kept in a bound logbook or other format acceptable to the Department.

The following data must be recorded for each observation:

- The date and time of the complaint,
- The name, address and phone # of the complainant (if given),
- The complainants description of the complaint,
- The facility's evaluation of the complaint, and
- The corrective measures taken.

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

If complaints are received on more than one day per seven day period, then the owner or facility representative shall notify the Department by the next business day (Monday thru Friday) of these complaints.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 27: Process Definition By Emission Unit**  
**Effective between the dates of 01/15/2010 and Permit Expiration Date**

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

**Item 27.1:**

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

Emission Unit: 1-GSC01

Process: P01

Source Classification Code: 3-05-020-01

Process Description:

Shot rock is sent to the primary crusher where it is reduced in size and transferred by conveyors to other crushers and screens and stockpiles for sale and truck loading. The aggregate product is ultimately removed from the site.

Emission Source/Control: 000WS - Control

Control Type: WATER INJECTION



