

Facility DEC ID: 4382200005

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 4-3822-00005/00010  
Effective Date: 04/11/2023 Expiration Date: 04/10/2033

Permit Issued To:CALLANAN INDUSTRIES INC  
8 Southwoods Blvd Fl 4  
Albany, NY 12211-5097

Contact: Evan Onuskanych  
PO Box 15097  
Albany, NY 12212-5097  
(518) 374-2222

Facility: CALLANAN CROPSEYVILLE QUARRY  
33 PALITSCH RD  
CROPSEYVILLE, NY 12052

Contact: Evan Onuskanych  
PO Box 15097  
Albany, NY 12212-5097  
(518) 374-2222

Description:  
Permit renewal. Minor changes that involved removal and replacement of in-kind 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: KATE KORNAK  
NYSDEC - REGION 4  
1130 N WESTCOTT RD  
SCHENECTADY, NY 12306-2014

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

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### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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

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

**Item 1.1:**  
 The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**  
 The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**  
 A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**  
**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**  
 Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

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

**Item 3.1:**  
 The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**  
 The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

**Item 3.3**  
 Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

**Condition 4: Permit modifications, suspensions or revocations by the Department**

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**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal-REGION 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

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

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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Permit Issued To: CALLANAN INDUSTRIES INC  
8 Southwoods Blvd Fl 4  
Albany, NY 12211-5097

Facility: CALLANAN CROPSEYVILLE QUARRY  
33 PALITSCH RD  
CROPSEYVILLE, NY 12052

Authorized Activity By Standard Industrial Classification Code:  
2951 - PAVING MIXTURES AND BLOCKS  
2952 - ASPHALT FELTS AND COATINGS  
3295 - MINERALS, GROUND OR TREATED

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- 9 7 40CFR 60.672, NSPS Subpart OOO: Compliance Demonstration
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- 11 9 40CFR 60.674(b), NSPS Subpart OOO: Compliance Demonstration
- 12 10 6 NYCRR 212-4.1 (a) (1): Compliance Demonstration
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- 13 13 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
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- 17 16 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 18 17 6 NYCRR Subpart 201-5: Emission Unit Definition
- 19 18 6 NYCRR Subpart 201-5: Compliance Demonstration
- 20 19 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 20 20 6 NYCRR 201-5.3 (c): Compliance Demonstration
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- 21 22 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 1/FINAL

\*\*\*\* 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.



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

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

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

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

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

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

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

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

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

**Item H: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)**

The owner and/or operator of an emission source or unit

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

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

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

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

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

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

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

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

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to

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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: Visible Emissions Limited**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 1.1:**

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

**Condition 2: Compliance Demonstration**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

**Applicable Federal Requirement:6 NYCRR Subpart 212-2**

**Item 2.1:**

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

Emission Unit: U-BTH01

**Item 2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

An evaluation of air toxic contaminants in accordance with 6 NYCRR 212 was conducted as part of the 2017 renewal application. The analysis evaluated benzene and formaldehyde emissions from the existing 210 tons per hour batch Hot Mix Asphalt (HMA) plant.

Based on modeling results the hot mix asphalt plant must operate in accordance with the letter submitted to the department on August 16, 2017, titled “Supplemental Submission -Part 212 Review and Updated Air Emissions Calculations for Callanan Industries Located At 33 Palitsch Road, Cropseyville, New York 12502 (permit ID#

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4-3822-00005, HRP Project# Cal2622.AC).” This letter limits total annual asphalt production to 375,000 tons per year which resulted in benzene and formaldehyde meeting the AGC and SGC.

These records shall be maintained on site for the length of permit term and ready for review when the agencies representatives arrive.

Work Practice Type: PROCESS MATERIAL THRUPUT  
Process Material: ASPHALT  
Upper Permit Limit: 375,000 tons  
Monitoring Frequency: MONTHLY  
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2024.  
Subsequent reports are due every 12 calendar month(s).

**Condition 3: Compliance Demonstration**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 3.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

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

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**Condition 4: Compliance Demonstration**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 4.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire waste oil are limited to a 0.25 percent sulfur content by weight of the fuel on or after July 1, 2023. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.25 percent 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

**Condition 5: Compliance Demonstration**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 5.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire waste oil are limited to a 0.75 percent sulfur content by weight of the fuel thru June 30, 2023. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

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Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: WASTE OIL  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.75 percent 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

**Condition 6: Compliance Demonstration**  
Effective between the dates of 04/11/2023 and 04/10/2033

**Applicable Federal Requirement: 6 NYCRR 241.3**

**Item 6.1:**

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

Emission Unit: U-BTH01

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

No emulsified asphalt, as classified under ASTM International standard specifications D 977 or D 2397 (see Table 1, section 200.9 of this Title), may be applied, sold, offered for sale, or manufactured that contains oil distillate, as determined by ASTM International standard test method D 6997, in amounts that exceed the following limits (milliliters of oil distillate per 200 gram sample):

(a) three milliliters for ASTM grades RS-1, SS-1, SS-1h, CRS-1, CSS-1, and CSS-1h;

(b) five milliliters for ASTM grades RS-2, CRS-2, and HFRS-2;

(c) sixteen milliliters for ASTM grades MS-2, HFMS-2 and HFMS-2h; and

(d) twenty milliliters for ASTM grades CMS-2 and CMS-2h.

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 7: Compliance Demonstration**  
Effective between the dates of 04/11/2023 and 04/10/2033

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

**Item 7.1:**

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

Emission Unit: U-AG001

Emission Unit: U-AG002

**Item 7.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a non-metallic mineral processing plant which is determined to be applicable to this Subpart as per 40 CFR 60.670 and defined by 40 CFR 60.671 may allow the discharge of stack emissions exhibiting an opacity exceeding 7% for the following operations:

- emissions from a stack venting any transfer point on belt conveyors (§60.672(a)(2)) except those operations which employ a wet scrubbing control device.
- emissions from a stack venting a building enclosing a transfer point on a conveyor belt or any other affected facility (§60.672(e)(2))
- emissions from any baghouse which controls emissions from only an individual enclosed storage bin (§60.672(f))
- combined stack emissions from multiple storage bins (§60.672(g))

Compliance with this standard will be determined by using the appropriate test methods specified in §60.675 following a protocol and test schedule approved by the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 7 percent

Reference Test Method: EPA RM9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2024.

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

**Condition 8:**

**Applicability**

**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 8.1:**

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

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

**Condition 9: Compliance Demonstration**  
Effective between the dates of 04/11/2023 and 04/10/2033

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

**Item 9.1:**

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

Emission Unit: U-AG001

Emission Unit: U-AG002

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

**Item 9.2:**

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



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(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 10: Compliance Demonstration**  
Effective between the dates of 04/11/2023 and 04/10/2033

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

**Item 10.1:**

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

Emission Unit: U-BTH01

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2024.

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

**Condition 11: Compliance Demonstration**  
Effective between the dates of 04/11/2023 and 04/10/2033

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

**Item 11.1:**

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

Emission Unit: U-BTH01

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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compliance with the plan.

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2024.  
Subsequent reports are due every 12 calendar month(s).

**Condition 12: Compliance Demonstration**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 12.1:**

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

Emission Unit: U-BTH01

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (1) When the burner is to be replaced, and a low NO<sub>x</sub> burner is not the unit of choice, the owner or operator of a hot mix asphalt plant must provide the Department with an economic feasibility analysis that justifies their decision. The economic analysis must follow an approach acceptable to the Department.
- (2) By January 1, 2020, all owners or operators of active plants which have not installed a low NO<sub>x</sub> burner must have submitted an economic feasibility analysis. A low NO<sub>x</sub> burner must be installed for that operating year in all instances in which it proves feasible.
- (3) Hot mix asphalt production plants which are in a state of inactivity on January 1, 2020, and have not otherwise complied with the requirements of this subdivision by that date must do so prior to continued operation.

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2024.  
Subsequent reports are due every 12 calendar month(s).

**Condition 13: Compliance Demonstration**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 13.1:**

The Compliance Demonstration activity will be performed for the facility:

Permit ID: 4-3822-00005/00010

Facility DEC ID: 4382200005

The Compliance Demonstration applies to:

Emission Unit: U-BTH01

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

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 14: Compliance Demonstration**

**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 14.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-BTH01

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

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater. The owner or operator shall maintain records of the opacity tests on site and will provide those records to the Department upon request.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

**Permit ID: 4-3822-00005/00010**

**Facility DEC ID: 4382200005**

Reference Test Method: EPA Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Permit ID: 4-3822-00005/00010

Facility DEC ID: 4382200005

**STATE ONLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

An emergency, as defined in 6 NYCRR subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

(2) the equipment at the facility was being properly operated and maintained;

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

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

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

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

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

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

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Facility DEC ID: 4382200005

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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 15: Contaminant List**

**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 15.1:**

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

**Condition 16: Malfunctions and Start-up/Shutdown Activities**

**Effective between the dates of 04/11/2023 and 04/10/2033**

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

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Facility DEC ID: 4382200005

**Item 16.1:**

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

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

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, the air contaminants emitted, and the resulting emission rates and/or opacity.

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

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

**Condition 17: Emission Unit Definition**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 17.1:**

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

Emission Unit: U-AG001

Emission Unit Description:

The emission unit consists of one (1) primary crusher, one (1) secondary crusher, six (6) tertiary crushers, four (4) screen decks, seventeen (17) conveyor belts, and three (3)

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feeders.

**Item 17.2:**

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

Emission Unit: U-AG002

Emission Unit Description:

Portable Crusher unit with diesel generator

**Item 17.3:**

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

Emission Unit: U-BTH01

Emission Unit Description:

A hot mix batch asphalt plant with a fabric filter bag house to collect the fine particulate matter.

**Condition 18: Compliance Demonstration**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 18.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 18.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The proposed maximum emissions will be below the major threshold (100 tons or more per year) using AP-42 calculations for Carbon Monoxide (CO) for total facility production (natural minor).

In order to assure this, the facility shall maintain monthly records to document the production of asphalt on a rolling monthly average (a cumulative quantity reflecting the past twelve months) as well as any other emissions sources at the facility location.

Using the following AP-42 emission factors (to be updated if the Clearinghouse is updated), the calculation will be as follows:

1. (tons of asphalt produced) x (emission of 0.4 pounds of CO per tons of asphalt produced using Natural Gas as a fuel source) = total CO emissions for the past twelve months
2. (tons of asphalt produced) x (emission of 0.4 pounds of CO per tons of asphalt produced using Distillate Fuel Oil



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- as a fuel source) = total CO emissions for the past twelve months
- 3. (tons of asphalt produced) x (emission of 0.4 pounds of CO per tons of asphalt produced using Waste Oil as a fuel source) = total CO emissions for the past twelve months
- 4. Any additional sources that are not exempt from 201-5 permitting.

Therefore: 1. (+) 2. (+) 3. (+) 4. < 80 tons of CO per year in order to be considered an a minor source of emissions.

These records shall be maintained on site for the length of permit term and ready for review when the agencies representatives arrive.

Parameter Monitored: CARBON MONOXIDE  
 Upper Permit Limit: 80 tons per year  
 Monitoring Frequency: MONTHLY  
 Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
 Reporting Requirements: ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2024.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 19: Renewal deadlines for state facility permits  
 Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 19.1:**

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

**Condition 20: Compliance Demonstration  
 Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 20.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 20.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

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

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Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 4  
1130 N. Westcott Rd.  
Schenectady, NY 12306

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2024.  
Subsequent reports are due every 12 calendar month(s).

**Condition 21: Air pollution prohibited**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 21.1:**

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 22: Emission Point Definition By Emission Unit**  
**Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 22.1:**

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

Emission Unit: U-AG001

Emission Point: 00002

Height (ft.): 10                      Diameter (in.): 8  
NYTMN (km.): 4736.279      NYTME (km.): 620.656

Emission Point: 00003

Height (ft.): 10                      Diameter (in.): 8  
NYTMN (km.): 4736.279      NYTME (km.): 620.656

Emission Point: 00004

Height (ft.): 12                      Diameter (in.): 5  
NYTMN (km.): 4736.279      NYTME (km.): 620.656

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Emission Point: 00005  
 Height (ft.): 20 Diameter (in.): 24  
 NYTMN (km.): 4736.279 NYTME (km.): 620.656

Emission Point: 00006  
 Height (ft.): 12 Diameter (in.): 5  
 NYTMN (km.): 4736.279 NYTME (km.): 620.656

**Item 22.2:**

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

Emission Unit: U-AG002

Emission Point: 00001  
 Height (ft.): 11 Length (in.): 553 Width (in.): 112  
 NYTMN (km.): 4736.279 NYTME (km.): 620.656

**Item 22.3:**

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

Emission Unit: U-BTH01

Emission Point: 00007  
 Height (ft.): 20 Diameter (in.): 27  
 NYTMN (km.): 4736.279 NYTME (km.): 620.656

**Condition 23: Process Definition By Emission Unit  
 Effective between the dates of 04/11/2023 and 04/10/2033**

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

**Item 23.1:**

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

Emission Unit: U-AG001  
 Process: CR2 Source Classification Code: 3-05-020-02  
 Process Description:  
 This process consists of one (1) Metso GP300S Gyrotory  
 Cone Crusher.

Emission Source/Control: SCR02 - Process  
 Design Capacity: 250 tons per hour

**Item 23.2:**

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

Emission Unit: U-AG001  
 Process: CR3 Source Classification Code: 3-05-002-05  
 Process Description:  
 This process consist of six (6) tertiary crushers: one  
 (1) Telsmith 489S Gyrasphere Crusher, four (4) Telsmith  
 2-36FC Gyrasphere Crushers, one (1) 48FC Gyrasphere  
 Crusher.

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Facility DEC ID: 4382200005

Emission Source/Control: TCR07 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: TCR08 - Process

**Item 23.3:**

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

Emission Unit: U-AG001  
Process: CR4 Source Classification Code: 3-05-020-01  
Process Description:  
This process contains one (1) primary crusher, 42"x48"  
Lippman Jaw Crusher. The unit has a throughput of 250  
tons/hour.

Emission Source/Control: PCR02 - Process  
Design Capacity: 250 tons per hour

**Item 23.4:**

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

Emission Unit: U-AG001  
Process: CV1 Source Classification Code: 3-05-020-06  
Process Description:  
This process consists of seventeen belt conveyors which  
moves and transfers various sized aggregate across the  
plant.

Emission Source/Control: CV001 - Process  
Design Capacity: 250 tons per hour

**Item 23.5:**

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

Emission Unit: U-AG001  
Process: FE1 Source Classification Code: 3-05-002-05  
Process Description:  
This process consists of three (3) feeders: 42" x 18'  
Simplicity Feeder, F-480 Syntron Feeder, and F-450A  
Syntron Feeder.

Emission Source/Control: FDR01 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: FDR02 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: FDR03 - Process  
Design Capacity: 250 tons per hour

**Item 23.6:**

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

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Emission Unit: U-AG001  
 Process: SC1 Source Classification Code: 3-05-020-02

Process Description:  
 This process consists of four (4) scalper screens: one (1) Simplicity 4' x 10' D.D. Scalper Screen. This process consists of three (3) tertiary scalper screens: one (1) Simplicity 6' x 16' T.D. scalper screen, one (1) Diester 5' x 14' D.D. Scalper screen, and one (1) Diester 5' x 12' D.D. Scalper Screen.

Emission Source/Control: SC001 - Process  
 Design Capacity: 250 tons per hour

Emission Source/Control: SC002 - Process  
 Design Capacity: 250 tons per hour

Emission Source/Control: SC003 - Process  
 Design Capacity: 250 tons per hour

Emission Source/Control: SC004 - Process  
 Design Capacity: 250 tons per hour

**Item 23.7:**

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

Emission Unit: U-AG002  
 Process: CR1 Source Classification Code: 3-02-020-01

Process Description:  
 This process contains one (1) primary crusher. Sandvik QJ341 Mobile Jaw Crusher, powered by a portable 350 HP diesel generator. The primary crusher has an attached conveyor belt that functions as a transfer point.

Emission Source/Control: PCR01 - Process  
 Design Capacity: 250 tons per hour

**Item 23.8:**

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

Emission Unit: U-BTH01  
 Process: BT1 Source Classification Code: 3-05-002-06

Process Description:  
 This process consist of a Batch Mix Hot Asphalt Plant firing Natural Gas. The unit includes a bag house with fabric filters to collect fine particulate matter.

Emission Source/Control: BT001 - Process  
 Design Capacity: 210 tons per hour

**Item 23.9:**

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

Permit ID: 4-3822-00005/00010

Facility DEC ID: 4382200005

Emission Unit: U-BTH01

Process: BT2

Source Classification Code: 3-05-002-08

Process Description:

This process consist of a Batch Mix Hot Asphalt Plant firing Distillate (No. 2 & 4 ) Fuel Oil. Includes a bag house w/ fabric filters to collect fine particulate matter.

Emission Source/Control: BT001 - Process

Design Capacity: 210 tons per hour

**Item 23.10:**

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

Emission Unit: U-BTH01

Process: BT4

Source Classification Code: 3-05-002-10

Process Description:

This process consist of a Batch Mix Hot Asphalt Plant firing waste Fuel Oil. Includes a bag house w/ fabric filters to collect fine particulate matter.

Emission Source/Control: BT001 - Process

Design Capacity: 210 tons per hour

**Permit ID: 4-3822-00005/00010**

**Facility DEC ID: 4382200005**