



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 5-0942-00506/00002  
Effective Date: 06/07/2017 Expiration Date: 06/06/2027

Permit Issued To: JOINTA LIME COMPANY  
269 BALLARD RD  
WILTON, NY 12831

Contact: PETER B FITZGERALD  
Jointa Lime Plattsburgh Asphalt  
29 Trade Rd  
Plattsburgh, NY 12901  
(518) 664-9855

Facility: Jointa Lime Asphalt Plant-Plattsburgh  
29 Trade Road  
Plattsburgh, NY 12901

Description:

This permit allows for the construction and operation of a 300 tons per hour (tph) Gencor Ultradrum counterflow drum asphaltic concrete plant in the Town of Plattsburgh in Clinton County. At this facility, liquid asphalt, various sizes of aggregate, and sand are heated and blended in a rotary dryer to produce hot mix asphalt (HMA). The rotary dryer will be fired with natural gas. The HMA is stored and loaded into trucks from electrically heated storage silos. Particulate emissions from the rotary dryer are controlled by a baghouse. Aggregate and sand are produced at other facilities and stored in stockpiles and cold feed bins on-site. No crushing requiring a permit is performed at this facility. Sources at this facility are regulated primarily under 40CFR 60, Subparts I and A, as well as 6NYCRR Parts 200, 201, 202, 211, 212, and 215.

The federally enforceable asphaltic concrete production limit of 210,000 tons per year (tpy) caps the facility out of Title V permitting requirements contained in Subpart 201-6 of 6NYCRR 201, as well as Reasonably Available Control Technology (RACT) requirements for volatile organic compounds (VOCs), contained in 6NYCRR 212. Under the 210,000 tpy cap, the facility-wide potential to emit CO is 14.2 tpy based upon current USEPA emission factors (AP-42). Emissions of VOCs which also have an emission potential greater than major source thresholds will be limited to no more than 5.2 tpy under this cap.

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 5094200506**



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:           ERIN L BURNS  
  NYSDEC - REGION 5  
  PO BOX 296  
  RAY BROOK, NY 12977-0296

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 5 SUBOFFICE - WARRENSBURG



**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**  
**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 5**  
**SUBOFFICE - WARRENSBURG**  
**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 5 Sub-office  
Division of Environmental Permits  
232 Golf Course Road  
Warrensburg, NY 12885-1172  
(518) 623-1281

**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: JOINTA LIME COMPANY  
269 BALLARD RD  
WILTON, NY 12831

Facility: Jointa Lime Asphalt Plant-Plattsburgh  
29 Trade Road  
Plattsburgh, NY 12901

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

Permit Effective Date: 06/07/2017

Permit Expiration Date: 06/06/2027



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- \*2 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 3 6 NYCRR 211.1: Air pollution prohibited
- 4 6 NYCRR 212-1.3: Compliance Demonstration
- 5 6 NYCRR 212-1.5 (d): Compliance Demonstration
- 6 6 NYCRR 212-1.5 (d): Compliance Demonstration
- 7 6 NYCRR 212-1.6 (a): Compliance Demonstration
- 8 6 NYCRR 212-4.1 (a) (1): Compliance Demonstration
- 9 6 NYCRR 212-4.1 (a) (2): Compliance Demonstration
- 10 6 NYCRR 212-4.1 (b): Compliance Demonstration
- 11 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions
- 12 40CFR 60.7(a), NSPS Subpart A: Date of construction notification -  
If a COM is not used.
- 13 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 14 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
- 15 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 16 ECL 19-0301: Contaminant List
- 17 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 18 6 NYCRR Subpart 201-5: Emission Unit Definition
- 19 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 20 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 21 6 NYCRR 211.2: Visible Emissions Limited
- 22 6 NYCRR 212-2.1: Compliance Demonstration

#### Emission Unit Level

- 23 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 24 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: 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 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 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: Facility Permissible Emissions**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 1.1:**

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

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

CAS No: 000630-08-0

PTE: 28,369 pounds per year

Name: CARBON MONOXIDE

**Condition 2: Capping Monitoring Condition**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 2.1:**

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)

6 NYCRR 212-3.1 (a)

40 CFR 52.21 (i) (2)

**Item 2.2:**

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

**Item 2.3:**

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 2.4:**

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

**Item 2.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 2.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall cap annual emissions by limiting asphalt production to no greater than 210,000 tons during any 12-month period. This production cap limits facility-wide CO and VOC potentials to emit (PTEs) to 14.2 and 5.2 tpy, respectively. The PTEs for all other criteria contaminants are below major source thresholds as well, based on the current AP-42 emission factors.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALTIC CONCRETE

Upper Permit Limit: 210000 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 4/30/2018.

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

**Condition 3: Air pollution prohibited  
Effective between the dates of 06/07/2017 and 06/06/2027**

**Applicable Federal Requirement:6 NYCRR 211.1**



**Item 3.1:**

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 4: Compliance Demonstration**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

**Applicable Federal Requirement: 6 NYCRR 212-1.3**

**Item 4.1:**

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

Emission Unit: U-00HMA

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In accordance with the applicability requirements of 6 NYCRR 212-1.1, the department will assign an environmental rating for each air contaminant emitted from each process emission source or emission point in accordance with Subdivisions (a) through (e) of this Section. The factors in Subdivisions (a) through (d) will be considered in making a determination of the environmental rating to be applied to an air contaminant pursuant to subdivision (e), Table 1 - Environmental Rating Criteria.

In accordance with Section 212-1.5(f), process operations emitting VOCs that meet the applicability requirements of Subpart 212-3, VOC RACT, (including capping out of) are not subject to the control provisions in Subpart 212-2, unless an individual VOC is assigned an Environmental Rating of A.

Based on the Potentials to Emit (PTE), emission rate potentials (ERP) and other supporting documentation associated with application ID. No. 5-09420-05060/0002, environmental ratings of A, B or C have been assigned to all permitted contaminants as identified in the DAR-1 AGC/SGC tables, unless otherwise noted in this permit. These VOCs, other organic and inorganic compounds have demonstrated compliance with SGCs/AGCs for ambient impacts

New York State Department of Environmental Conservation

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



at their respective PTEs.

Any increase in a speciated VOC's ERP/PTE from those contained in the most recent approved application is a modification and requires, at a minimum, a notification in accordance with 6 NYCRR 201-5.4.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 5: Compliance Demonstration**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

**Applicable Federal Requirement: 6 NYCRR 212-1.5 (d)**

**Item 5.1:**

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

Emission Unit: U-00HMA                      Emission Point: EP001

Regulated Contaminant(s):  
CAS No: 000071-43-2                      BENZENE

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This emission source/emission point may emit benzene, a High Toxicity Air Contaminant (HTAC). This contaminant is given an environmental rating of "A" per 6 NYCRR 212-1.3(e) Table 1 and required to have 90% control or greater per 6 NYCRR 212-2.3(b), Table 4, or Toxic - Best Available Control Technology (T-BACT).

Based on the annual HMA production cap and supporting documentation associated with application ID. No. 5-09420-05060/0002, T-BACT is considered a benzene emission rate of no greater than 0.00039 pounds per tons of asphalt produced. At the respective PTE's, ambient impacts are predicted to be below the Department's recommended SGCs/AGCs.

Per 6 NYCRR, Subpart 202-1, in order to determine compliance or non-compliance with this emission limit, the source owner may be required to submit an acceptable report of measured emissions within a stated time.

Parameter Monitored: BENZENE

Upper Permit Limit: 0.00039 pounds per ton



**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506

Reference Test Method: EPA Method 18

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 6: Compliance Demonstration**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

**Applicable Federal Requirement: 6 NYCRR 212-1.5 (d)**

**Item 6.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00HMA                      Emission Point: EP001

Regulated Contaminant(s):  
CAS No: 000050-00-0                      FORMALDEHYDE

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This emission point/emission source may emit formaldehyde, a High Toxicity Air Contaminant (HTAC). This contaminant is given an environmental rating of "A" per 6 NYCRR 212-1.3(e) Table 1 and required to have 90% control or greater per 6 NYCRR 212-2.3(b), Table 4, or Toxic - Best Available Control Technology (T-BACT).

Based on the annual HMA production cap and supporting documentation associated with application ID. No. 5-09420-05060/0002, T-BACT is considered a formaldehyde emission rate of no greater than 0.0031 pounds per tons asphalt produced. At the respective PTE's, ambient impacts are predicted to be below the Department's recommended SGCs/AGCs.

Per 6 NYCRR, Subpart 202-1, in order to determine compliance or non-compliance with this emission limit, the source owner may be required to submit an acceptable report of measured emissions within a stated time.

Parameter Monitored: FORMALDEHYDE

Upper Permit Limit: 0.0031 pounds per ton

Reference Test Method: EPA Method 323

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED



**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 7: Compliance Demonstration**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

**Applicable Federal Requirement:6 NYCRR 212-1.6 (a)**

**Item 7.1:**

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

Emission Unit: U-00HMA  
Process: SIL

**Item 7.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No facility owner or operator shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 8: Compliance Demonstration**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

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

**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:

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: UPON REQUEST BY REGULATORY AGENCY

**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



**Condition 9: Compliance Demonstration**  
Effective between the dates of 06/07/2017 and 06/06/2027

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

**Item 9.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 9.2:**

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 compliance with the plan.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 10: Compliance Demonstration**  
Effective between the dates of 06/07/2017 and 06/06/2027

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

**Item 10.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00HMA

Process: PNG

Emission Source: BRNER

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A low NOx burner is required at any new hot mix asphalt production plant.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 11: Applicability of Subpart A General Provisions**  
Effective between the dates of 06/07/2017 and 06/06/2027

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

**Item 11.1:**

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility

**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



owner is responsible for complying with all applicable technical, administrative and reporting requirements.

**Condition 12: Date of construction notification - If a COM is not used.  
Effective between the dates of 06/07/2017 and 06/06/2027**

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

**Item 12.1:**

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

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 13: Recordkeeping requirements.  
Effective between the dates of 06/07/2017 and 06/06/2027**

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

**Item 13.1:**

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

**Condition 14: Compliance Demonstration  
Effective between the dates of 06/07/2017 and 06/06/2027**

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

**Item 14.1:**

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

Emission Unit: U-00HMA

Emission Point: EP001

New York State Department of Environmental Conservation

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



Process: PNG

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which contains particulate matter in excess of 90 mg/dscm (0.04 gr/dscf).

In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).

Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator under section 114 of the Act (or the Department), the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

The owner or operator of an affected facility shall provide the Department at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Department the opportunity to have an observer present.

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 15: Compliance Demonstration**

**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



**Effective between the dates of 06/07/2017 and 06/06/2027**

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

**Item 15.1:**

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

Emission Unit: U-00HMA

Process: PNG

**Item 15.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the date on which the (particulate) performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which exhibits 20 percent opacity, or greater.

Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial (particulate) performance test required, and at such other times as may be required by the Department. The opacity results shall be reported along with the results of the initial (particulate) performance test required under §60.8.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



**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 by 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 be demonstrated 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 permitted facility causing the emergency was at the time being properly operated and maintained;

(3) During the period of the emergency the facility owner 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 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 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 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.



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 16: Contaminant List**

**Effective between the dates of 06/07/2017 and 06/06/2027**

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

**Item 16.1:**

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

CAS No: 000050-00-0  
Name: FORMALDEHYDE

CAS No: 000071-43-2  
Name: BENZENE

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

CAS No: 0NY075-00-0



Name: PARTICULATES

**Condition 17: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

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

**Item 17.1:**

(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 malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, 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 stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and 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. 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, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the 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 18: Emission Unit Definition**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

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

**Item 18.1:**

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



New York State Department of Environmental Conservation

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



Emission Unit: U-00HMA

Emission Unit Description:

300 ton per hour Gencor Ultraplant counterflow drum hot mix asphalt plant. The plant is comprised of a mixing drum equipped with a low-NOx natural gas burner. Particulate emissions are controlled by a Gencor CFS-133 baghouse filter through emission point EP0001. This emission unit contains: one (1) 300 ton per hour Gencor Ultraplant counterflow drum dryer (BRNER), four (4) conveyors (CONVS), three (3) screens (SCRNS), one (1) dust return mineral silo (MSILO), five (5) cold-feed aggregate bins (CDBIN), one (1) recycled pavement (RAP) bin (RPBIN), asphalt silo filling and load out equipment (FILLD), and three (3) hot mix asphalt storage silos with electric heaters. The following sources are considered exempt from permitting: two (2) 30,000 gallon liquid asphalt storage tanks with natural gas heaters.

Building(s): Baghouse

**Condition 19: Renewal deadlines for state facility permits  
Effective between the dates of 06/07/2017 and 06/06/2027**

**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 06/07/2017 and 06/06/2027**

**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:

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 5  
232 Golf Course Rd.

**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



Warrensburg, NY 12885

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2018.

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

**Condition 21: Visible Emissions Limited**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 21.1:**

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 22: Compliance Demonstration**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

**Applicable State Requirement:6 NYCRR 212-2.1**

**Item 22.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emissions of air contaminants to the outdoor atmosphere from any process emission source or emission point are restricted as follows:

(a) for an air contaminant listed in Section 212-2.2 Table 2 - High Toxicity Air Contaminant List, of this Part, the facility owner or operator shall either limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC; or demonstrate compliance with the air cleaning requirements for the HTAC as specified in Subdivision 212-2.3(b), Table 4 - Degree of Air Cleaning Required for Non-Criteria Air Contaminants, of this Part for the environmental rating assigned to the contaminant by the department.

(b) for any air contaminant not listed on Table 2, unless it is a solid particulate described in subdivision (c) of this Section, the facility owner or operator shall not allow emissions of an air contaminant to violate the requirements specified in Subdivision 212-2.3(a), Table 3

**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



- Degree of Air Cleaning Required for Criteria Air Contaminants, or Subdivision 212-2.3(b), Table 4 - Degree of Air Cleaning Required for Non-Criteria Air Contaminants, as applicable, for the environmental rating assigned to the contaminant by the department.

(c) for a solid particulate assigned an environmental rating of B or C emitted from a process emission source, the facility owner or operator shall not allow emissions of particulate to exceed the requirements specified in Subpart 212-2.4 of this Part.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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

**Condition 23: Emission Point Definition By Emission Unit**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

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

**Item 23.1:**

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

Emission Unit: U-00HMA

Emission Point: EP001

Height (ft.): 33

Diameter (in.): 54

NYTMN (km.): 4952.765 NYTME (km.): 621.393 Building: Baghouse

**Condition 24: Process Definition By Emission Unit**  
**Effective between the dates of 06/07/2017 and 06/06/2027**

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

**Item 24.1:**

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

Emission Unit: U-00HMA

Process: PNG

Source Classification Code: 3-05-002-55

Process Description:

Production of hot mixed asphalt pavement utilizing a counterflow drum mix plant. Aggregate is dried in a rotary dryer fueled by natural gas. Dried aggregate is mixed with hot liquid asphalt cement in the dryer and is discharged to a closed slat conveyor. The slat conveyor carries the hot mix asphalt to closed top storage silos for subsequent load out.

**New York State Department of Environmental Conservation**

Permit ID: 5-0942-00506/00002

Facility DEC ID: 5094200506



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

Emission Source/Control: BRNER - Process  
Design Capacity: 300 tons per hour

Emission Source/Control: CDBIN - Process

Emission Source/Control: CONVS - Process

Emission Source/Control: MSILO - Process

Emission Source/Control: RPBIN - Process

Emission Source/Control: SCRNS - Process

**Item 24.2:**

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

Emission Unit: U-00HMA

Process: SIL

Source Classification Code: 3-05-002-14

Process Description:

This process includes three (3) HMA storage silos.  
Emissions from this process are associated with the electric heating of hot mixed asphalt for temperature control, and silo filling and truck loading operations.

Emission Source/Control: FILLD - Process