



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 5-1628-00003/00006  
Effective Date: 10/20/2014 Expiration Date: 10/19/2024

Permit Issued To: GRAYMONT MATERIALS (NY) INC  
111 QUARRY RD  
PLATTSBURGH, NY 12901

Upstone Materials Inc  
111 Quarry Rd  
Plattsburgh, NY 12901

Facility: MALONE QUARRY  
QUARRY RD|(FORMERLY TUTTLE RD)  
NORTH BANGOR, NY 12966

Contact: NATHAN DUTIL  
GRAYMONT MATERIALS (NY) INC  
111 QUARRY RD PO BOX 825  
PLATTSBURGH, NY 12901-0825  
(518) 561-5321

**Description:**

This facility produces crushed stone and asphalt. Manufacturing processes include quarry operations and asphalt production. The quarry operations consist of overburden stripping, bedrock drilling and blasting, loading, conveying and transport of shotrock, a stone crushing plant, and screens. The crushing operations involve dropping pit rock at the primary crusher, primary, secondary, tertiary crushing, controlled transfer points, screenings, loading crushed stone for onsite use, dropping crushed stone onsite, loading crushed stone for offsite use, and hauling crushed stone offsite.

Asphalt operations include loading stone, drying stone, mixing asphalt, loading finished asphalt, and transporting asphalt offsite.

Emission unit 0-CRUSH involves aggregate crushing and processing. The emission sources in this emission unit are divided into two processes, based on rule applicability. Process CR1 emission sources are regulated primarily in accordance with 6 NYCRR Part 212, General Processes, and Process CR2 emission sources are subject to 40CFR 60, Subpart OOO, New Source Performance Standards.

The asphalt operation involves one emission unit, 0-ASP01, and two processes AS1 and AS2. Each process includes one non-NSPS HMA batch plant and baghouse. Emission unit 0-ASP01 is subject to general requirements including opacity and particulates under 6NYCRR 212.

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 5162800003**



The facility pollutants PM-10, NO<sub>x</sub>, SO<sub>2</sub>, and CO are capped below major source thresholds.

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 HEADQUARTERS



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

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



**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 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 5 Headquarters  
Division of Environmental Permits  
Route 86, PO Box 296  
Ray Brook, NY 12977-0296  
(518) 897-1234

**New York State Department of Environmental Conservation**

Permit ID: 5-1628-00003/00006

Facility DEC ID: 5162800003



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: GRAYMONT MATERIALS (NY) INC  
111 QUARRY RD  
PLATTSBURGH, NY 12901

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111 Quarry Rd  
Plattsburgh, NY 12901

Facility: MALONE QUARRY  
QUARRY RD|(FORMERLY TUTTLE RD)  
NORTH BANGOR, NY 12966

Authorized Activity By Standard Industrial Classification Code:  
2951 - PAVING MIXTURES AND BLOCKS  
1423 - CRUSHED AND BROKEN GRANITE  
1429 - CRUSHED AND BROKEN STONE NEC

Permit Effective Date: 10/20/2014

Permit Expiration Date: 10/19/2024



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- 2 6 NYCRR 211.1: Air pollution prohibited
- 3 6 NYCRR 212.6 (a): Compliance Demonstration
- 4 6 NYCRR 212.12 (a) (2): Compliance Demonstration
- 5 6 NYCRR 225-1.2: Compliance Demonstration
- 6 40CFR 60.670(d)(1), NSPS Subpart OOO: Exemption for equipment replacement when equipment does not increase emissions
- 7 40CFR 60.670(f), NSPS Subpart OOO: applicability of subpart A

#### Emission Unit Level

##### EU=0-ASP01

- \*8 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 9 6 NYCRR 212.12 (a) (1): Compliance Demonstration
- 10 6 NYCRR 212.12 (b): Compliance Demonstration
- 11 6 NYCRR 225-2.3 (b) (3): Compliance Demonstration
- 12 6 NYCRR 225-2.4: Compliance Demonstration

##### EU=0-ASP01,EP=MQAS5

- 13 6 NYCRR 212.3 (b): Compliance Demonstration

##### EU=0-ASP01,EP=MQAS6

- 14 6 NYCRR 212.3 (b): Compliance Demonstration

##### EU=0-CRUSH

- \*15 6 NYCRR Subpart 201-7: Capping Monitoring Condition

##### EU=0-CRUSH,Proc=CR2

- 16 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 17 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 18 40CFR 60.675(c), NSPS Subpart OOO: Compliance Demonstration
- 19 40CFR 60.675(e), NSPS Subpart OOO: Compliance Demonstration
- 20 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
- 21 40CFR 60.676(a), NSPS Subpart OOO: Reporting and Recordkeeping for Replacement of Equipment

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 22 ECL 19-0301: Contaminant List
- 23 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 24 6 NYCRR Subpart 201-5: Emission Unit Definition
- 25 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 26 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 27 6 NYCRR 211.2: Visible Emissions Limited
- 28 6 NYCRR 211.2: Compliance Demonstration





**Emission Unit Level**

- 29 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 30 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)**



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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 10/20/2014 and 10/19/2024**

**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 Name: CARBON MONOXIDE	PTE: 190,000 pounds per year
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CAS No: 007446-09-5 Name: SULFUR DIOXIDE	PTE: 38,000 pounds per year
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CAS No: 0NY075-00-5 Name: PM-10	PTE: 24,800 pounds per year
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CAS No: 0NY210-00-0 Name: OXIDES OF NITROGEN	PTE: 57,000 pounds per year
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**Condition 2: Air pollution prohibited**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 2.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.



**Condition 3: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement: 6 NYCRR 212.6 (a)**

**Item 3.1:**

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

Emission Unit: 0-ASP01

Emission Unit: 0-CRUSH  
Process: CR1

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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

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

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition,

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it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 4: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

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

**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: 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 5: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement:6 NYCRR 225-1.2**

**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: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and/or operators of any stationary combustion installation that fires oil are limited to the firing of oil with a sulfur content of 1.50 percent sulfur by weight or less through June 30, 2014.

Owners and/or operators of any stationary combustion installation that fires residual oil are limited to the purchase of residual oil with a sulfur content of 0.50 percent sulfur by weight or less on or after July 1, 2014 and to the firing of residual oil with a sulfur content of

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0.50 percent sulfur by weight or less on or after July 1, 2016.

Owners and/or operators of a stationary combustion installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014 and to the firing of distillate oil with a sulfur content of 0.0015 percent sulfur by weight or less on or after July 1, 2016.

Owners and/or operators of any stationary combustion installation that fires waste oil on or after July 1, 2014 are limited to the firing of waste oil with 0.75 percent sulfur by weight or less.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 6: Exemption for equipment replacement when equipment does not increase emissions**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement: 40CFR 60.670(d)(1), NSPS Subpart**

OOO

**Item 6.1:**

This Condition applies to:

Emission Unit: 0CRUSH

Process: CR2

**Item 6.2:**

When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions in §60.672, 60.674, and 60.675 except the owner/operator is not exempt if all existing equipment is replaced as described in §60.670(d)(3).

An owner/operator complying with this condition must submit the information required in §60.676(a).



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**Condition 7: applicability of subpart A**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement:40CFR 60.670(f), NSPS Subpart OOO**

**Item 7.1:**

This Condition applies to:

Emission Unit: 0CRUSH

Process: CR2

**Item 7.2:**

Table 1 of 40 CFR 60, Subpart OOO specifies the provisions of Subpart A of Part 60 that do not apply to owners/operators of affected facilities that are subject to the provisions of subpart OOO. All other provisions of Subpart A apply to this facility, as applicable.

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

**Condition 8: Capping Monitoring Condition**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 8.1:**

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 212.10

**Item 8.2:**

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

**Item 8.3:**

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

**Item 8.4:**

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



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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 8.5:**

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 8.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01

Regulated Contaminant(s):

CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY075-00-5	PM-10
CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 000630-08-0	CARBON MONOXIDE

**Item 8.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Production records to be maintained on site to verify that the maximum facility production of asphalt does not exceed 475,000 tons in any 12 months. This production cap limits emissions below major source thresholds for NOx, CO, SO2 and PM-10 (in conjunction with aggregate production cap).

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALTIC CONCRETE

Upper Permit Limit: 475000 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

**Condition 9: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement:6 NYCRR 212.12 (a) (1)**

**Item 9.1:**

The Compliance Demonstration activity will be performed for:

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Emission Unit: 0-ASP01

**Item 9.2:**

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

**Condition 10: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement: 6 NYCRR 212.12 (b)**

**Item 10.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01

**Item 10.2:**

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 NOx 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 NOx burner must have submitted an economic feasibility analysis. A low NOx burner must be installed for that operating year in all instances in which it proves feasible.

(3) Hot mix asphalt production plants which are in a state of inactivity on January 1, 2020, and have not otherwise complied with the requirements of this subdivision by that date must do so prior to continued operation.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 11: Compliance Demonstration**

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Facility DEC ID: 5162800003



**Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 11.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The combustion efficiency of these emission sources while burning waste fuel A shall be at least 99%. Testing shall be conducted in accordance with 6NCYRR Subpart 202.

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Permit Limit: 99 percent

Reference Test Method: Method 3 or 10

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 12: Compliance Demonstration**

**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement:6 NYCRR 225-2.4**

**Item 12.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

1. Source owner shall comply with all New York State and Federal regulatory requirements concerning the combustion of waste oil.
2. To ensure that the waste oil burned meets the definition of Waste Fuel A, as set forth in paragraph

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225-2.2(b)(9) of 6NYCRR 225-2, source owner shall maintain a record of the analyses, certified by the supplier, of all waste oil burned. Each analysis shall include the following parameters:

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

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

- a. total halogens content shall not exceed 1,000 ppm;
- b. PCB content shall not exceed 50 ppm;
- c. lead content shall not exceed 250 ppm;
- d. Sulfur content see Part 225-1 for limitation;
- e. heat content shall be at least 125,000 Btu/gallon.

These records shall be kept on site for a period of at least five (5) years.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 13: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement: 6 NYCRR 212.3 (b)**

**Item 13.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01                      Emission Point: MQAS5

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 less than 66 lbs/hr. Compliance testing will be conducted at the discretion of the Department.

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Parameter Monitored: PARTICULATES  
Upper Permit Limit: 66 pounds per hour  
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 14: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement:6 NYCRR 212.3 (b)**

**Item 14.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01                      Emission Point: MQAS6

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:

Emissions of solid particulates are limited to less than  
67 lbs/hr. Compliance testing will be conducted at the  
discretion of the Department.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: 67 pounds per hour  
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: Capping Monitoring Condition**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 15.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 201-6.1

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**Item 15.2:**

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

**Item 15.3:**

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

**Item 15.4:**

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

**Item 15.5:**

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

**Item 15.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

**Item 15.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Production records to be maintained on site to verify that the maximum production of crushed stone does not exceed 750,000 tons in any 12 months. This production cap along with the asphalt production cap limits PM-10 emission below major source threshold.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: STONE

Upper Permit Limit: 750000 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

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Reports due 30 days after the reporting period.  
The initial report is due 1/30/2015.  
Subsequent reports are due every 12 calendar month(s).

**Condition 16: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 16.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH  
Process: CR2

**Item 16.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator must meet the following fugitive emissions limit for crushers at which a capture system is not used. The owner or operator must demonstrate compliance with this limit by conducting an initial performance test according to § 60.11 of this part and § 60.675 of this subpart.

Affected facilities (as defined in §§ 60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008 must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart 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 as required under § 60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in § 60.7(a)(6) and 60.8(d) to a 7-day advance notification.

If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in § 60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until



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no later than 60 calendar days after resuming operation of the affected facility.

Parameter Monitored: OPACITY

Upper Permit Limit: 15 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

**Condition 17: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 17.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR2

**Item 17.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator must meet the following fugitive emission limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in §§ 60.670 and 60.671). The owner or operator must demonstrate compliance with this limit by conducting an initial performance test according to § 60.11 of this part and § 60.675 of this subpart.

Affected facilities that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008 must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart 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 as required under § 60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

For performance tests involving only Method 9 (40 CFR part

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60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in § 60.7(a)(6) and 60.8(d) to a 7-day advance notification.

If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in § 60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 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

**Condition 18: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement: 40CFR 60.675(c), NSPS Subpart OOO**

**Item 18.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR2

**Item 18.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) In determining compliance with the particulate matter standards in § 60.672(b) or § 60.672(e)(1), the owner or operator shall use Method 9 of Appendix A-4 of this part and the procedures in § 60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9 of Appendix A-4 of this part, Section 2.1) must be followed.



(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

(3) When determining compliance with the fugitive emissions standard for any affected facility described under § 60.672(b) or § 60.672(e)(1) of this subpart, the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart must be based on the average of the five 6-minute averages.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 19: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement: 40CFR 60.675(e), NSPS Subpart OOO**

**Item 19.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR2

**Item 19.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For the method and procedure of paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:

(i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the



individual affected facilities contributing to the emissions stream.

(ii) Separate the emissions so that the opacity of emissions from each affected facility can be read. Code of Federal Regulations / Title 40 - Protection of Environment / Vol. 7 / 2012-07-01699

(2) A single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:

(i) No more than three emission points may be read concurrently.

(ii) All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.

(iii) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 20: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO**

**Item 20.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH  
Process: CR2

**Item 20.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in § 60.672 of this subpart, including reports of opacity observations made using Method 9 (40

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CFR part 60, Appendix A-4) to demonstrate compliance with § 60.672(b), (e) and (f).

The owner or operator of any wet material processing operation that processes saturated and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. At the time of such change, this screening operation, bucket elevator, or belt conveyor becomes subject to the applicable opacity limit in § 60.672(b) and the emission test requirements of § 60.11.

The subpart A requirement under § 60.7(a)(1) for notification of the date construction or reconstruction commenced is waived for affected facilities under this subpart.

A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.

(1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

(2) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.  
Code of Federal Regulations / Title 40 - Protection of Environment / Vol. 6 / 2011-07-01708

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 21: Reporting and Recordkeeping for Replacement of Equipment Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 21.1:**

This Condition applies to Emission Unit: 0-CRUSH  
Process: CR2

**Item 21.2:**

Each owner or operator seeking to comply with 40 CFR Part 60.670(d) shall submit to the

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Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

(i) The width of the existing belt being replaced and

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

(i) The rated capacity in megagrams or tons of the existing storage bin being replaced and

(ii) The rated capacity in megagrams or tons of replacement storage bins.



**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 22: Contaminant List  
Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 22.1:**

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

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

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

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

CAS No: 0NY075-00-5



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Name: PM-10

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 23: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 23.1:**

(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 24: Emission Unit Definition**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

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

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**Item 24.1:**

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

Emission Unit: 0-ASP01

Emission Unit Description:

Processes AS1 and AS2 produce hot mix asphalt by combining heated aggregate and heated liquid asphalt. The aggregate is heated then dried in a rotating dryer fueled by fuel oil (distillate), and/or waste specification oil (Waste Fuel A). The hot, dry aggregate is sorted into various sizes on a set of screens and transferred to storage bins. The hot, dry aggregate is weighed in a weigh hopper and transferred to the pugmill where it is mixed with the hot liquid asphalt in batches. Not subject to NSPS.

**Item 24.2:**

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

Emission Unit: 0-CRUSH

Emission Unit Description:

The emission unit consists of two processes:  
Process (CR1) for non- NSPS sources that were installed prior to 1983, or were replaced "in kind", consisting of two crushers, one screen, and twelve conveyors, and

Process (CR2) for NSPS sources. The process consists of one crusher, two screens and seven conveyors.

**Condition 25: Renewal deadlines for state facility permits  
Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 25.1:**

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 26: Compliance Demonstration  
Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 26.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 26.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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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.  
Warrensburg, NY 12885

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2015.  
Subsequent reports are due every 12 calendar month(s).

**Condition 27: Visible Emissions Limited**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 27.1:**

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 28: Compliance Demonstration**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 28.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 28.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or

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property. Notwithstanding the existence of specific air quality standards or emission limits.

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

The following data must be recorded for each observation:

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

Condition 29: Emission Point Definition By Emission Unit Effective between the dates of 10/20/2014 and 10/19/2024

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 29.1:

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

Emission Unit: 0-ASP01

Emission Point: MQAS5

Height (ft.): 35	Length (in.): 36	Width (in.): 24
NYTMN (km.): 4957.6	NYTME (km.): 542.6	

Emission Point: MQAS6

Height (ft.): 35	Length (in.): 36	Width (in.): 24
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NYTMN (km.): 4957.6 NYTME (km.): 542.6

**Condition 30: Process Definition By Emission Unit**  
**Effective between the dates of 10/20/2014 and 10/19/2024**

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

**Item 30.1:**

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

Emission Unit: 0-ASP01  
Process: AS1 Source Classification Code: 3-05-002-01  
Process Description:

Process AS1 produces hot mix asphalt by combining heated aggregate and heated liquid asphalt. The aggregate is heated then dried in a rotating dryer fueled by fuel oil (distillate) and/or waste specification oil (Waste Fuel A). The hot, dry aggregate is sorted into various sizes on a set of screens and transferred to storage bins. The hot, dry aggregate is weighed in a weigh hopper and transferred to the pugmill where it is mixed with the hot liquid asphalt in batches.

Emission Source/Control: 0BAG5 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 0ASP5 - Process  
Design Capacity: 300 tons per hour

**Item 30.2:**

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

Emission Unit: 0-ASP01  
Process: AS2 Source Classification Code: 3-05-002-01  
Process Description:

Process AS2 produces hot mix asphalt by combining heated aggregate and heated liquid asphalt. The aggregate is heated then dried in a rotating dryer fueled by fuel oil (distillate) and/or waste specification oil (Waste Fuel A). The hot, dry aggregate is sorted into various sizes on a set of screens and transferred to storage bins. The hot, dry aggregate is weighed in a weigh hopper and transferred to the pugmill where it is mixed with the hot liquid asphalt in batches.

Emission Source/Control: 0BAG6 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 0ASP6 - Process  
Design Capacity: 360 tons per hour

**Item 30.3:**



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

Emission Unit: 0-CRUSH

Process: CR1

Source Classification Code: 3-05-040-30

Process Description:

Process CR1 involves crushing quarry shot rock and sorting it into aggregates of different sizes. The aggregate is crushed, sent through a series of screens. Transportation between crushers and screens is via conveyor. This process is for non-NSPS sources

Emission Source/Control: WSCR1 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: WSCR2 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 000C1 - Process

Design Capacity: 48 inches

Emission Source/Control: 000C2 - Process

Design Capacity: 30 inches

Emission Source/Control: 000C3 - Process

Design Capacity: 24 inches

Emission Source/Control: 000C4 - Process

Design Capacity: 24 inches

Emission Source/Control: 000C7 - Process

Design Capacity: 24 inches

Emission Source/Control: 000C9 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C10 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C13 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C14 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C15 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C16 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C17 - Process

Design Capacity: 30 inches



Emission Source/Control: 00C18 - Process  
Design Capacity: 18 inches

Emission Source/Control: 00CR2 - Process  
Design Capacity: 230 tons per hour

**Item 30.4:**

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

Emission Unit: 0-CRUSH  
Process: CR2 Source Classification Code: 3-05-040-30  
Process Description:

Process CR2 consists of crushing quarry shot rock and sorting it into aggregates of different sizes. The aggregate is crushed, sent through two dry screens and then sorted at a third, wet screen. Transportation between crushers is via conveyor. This process is for NSPS sources.

Emission Source/Control: WSCR3 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: WSCR4 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00C5 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C8 - Process  
Design Capacity: 48 inches

Emission Source/Control: 00C11 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C19 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C20 - Process  
Design Capacity: 30 inches

Emission Source/Control: 00C21 - Process  
Design Capacity: 30 inches

Emission Source/Control: 00C22 - Process  
Design Capacity: 30 inches

Emission Source/Control: 00C23 - Process  
Design Capacity: 48 inches

Emission Source/Control: 00CR3 - Process  
Design Capacity: 645 tons per hour

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Emission Source/Control: 01CR1 - Process  
Design Capacity: 685 tons per hour

Emission Source/Control: 0SCR2 - Process  
Design Capacity: 120 square feet

Emission Source/Control: 0SCR3 - Process  
Design Capacity: 96 square feet

Emission Source/Control: AGBN1 - Process  
Design Capacity: 40 tons