

Facility DEC ID: 5170500004

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 5-1705-00004/00006  
Effective Date: 08/01/2024 Expiration Date: 07/31/2034

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

Facility: CALLANAN INDUSTRIES GRAVEL PIT, PLANT 67  
28 HILL ST  
GLOVERSVILLE, NY 12078

Contact: Evan Onuskanvch  
CALLANAN INDUSTRIES INC.  
PO BOX 15097  
ALBANY, NY 12212-5097  
(518) 374-2222

Description:

The facility will produce asphalt products in one emission unit, the existing 150 ton per hour batch mix asphalt plant (U-BCH01). Crushed stone is conveyed to a rotary drum stone dryer, which dries and heats the aggregate. The material is then screened into enclosed storage bins, fed to a weigh hopper, and transferred to a pug mill where asphaltic cement is mixed with the aggregate. The pug mill discharges finished asphaltic concrete to trucks by gravity feed. The drum heater burns natural gas, producing primarily CO and NO<sub>x</sub>, and the action of the drum on the aggregates generates particulate matter which is controlled by the baghouse (BH001), exhausting through the stack (emission point EP001).

Asphalt production is capped at 74,950 tons per year to maintain emissions below major source thresholds and to demonstrate compliance with emission limits for high-toxicity air contaminants (HTACS) listed in 6 NYCRR Part 212-2.2. Furthermore, an asphalt production cap of 74,950 tons will preclude the facility from meeting the "blue smoke" control requirements described in the proposed 6 NYCRR Subpart 220-3 Asphalt Pavement Manufacturing, once adopted. The monitoring, recordkeeping, and reporting to be implemented in compliance with the annual production cap are described in the permit.

Pursuant to the requirements of Section 7(2) of the Climate Leadership and Community Protection Act (CLCPA), the Department has requested and received information regarding the project's consistency with the CLCPA.

Facility DEC ID: 5170500004

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:        BETH A MAGEE  
                                      NYSDEC - WARRENSBURG SUBOFFICE  
                                      232 GOLF COURSE RD  
                                      WARRENSBURG, NY 12885-1172

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

Facility DEC ID: 5170500004

### 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.

Facility DEC ID: 5170500004

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**DEC GENERAL CONDITIONS**

**General Provisions**

- 5 1 Facility Inspection by the Department
- 5 2 Relationship of this Permit to Other Department Orders and Determinations
- 5 3 Applications for permit renewals, modifications and transfers
- 6 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 6 5 Submission of application for permit modification or renewal-REGION 5 SUBOFFICE - WARRENSBURG

Facility DEC ID: 5170500004

**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.

Facility DEC ID: 5170500004

**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

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

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

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

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

Facility: CALLANAN INDUSTRIES GRAVEL PIT, PLANT 67  
28 HILL ST  
GLOVERSVILLE, NY 12078

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

Permit Effective Date: 08/01/2024

Permit Expiration Date: 07/31/2034

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 6 1 6 NYCRR 200.7: Compliance Demonstration
- 7 2 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- 7 \*3 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 9 4 6 NYCRR 202-1.2: Notification
- 9 5 6 NYCRR 202-1.3: Acceptable procedures
- 10 6 6 NYCRR 211.2: Visible Emissions Limited
- 10 7 6 NYCRR 212-1.6 (a): Compliance Demonstration
- 10 8 6 NYCRR 212-4.1 (a) (1): Compliance Demonstration
- 11 9 6 NYCRR 212-4.1 (b): Compliance Demonstration
- 11 10 6 NYCRR 225-1.2 (c): Compliance Demonstration
- 12 11 6 NYCRR 225-1.2 (d): Compliance Demonstration
- 13 12 6 NYCRR 225-1.2 (e): Compliance Demonstration
- 13 13 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions
- 13 14 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
- 14 15 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 17 16 ECL 19-0301: Contaminant List
- 18 17 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 18 18 6 NYCRR Subpart 201-5: Emission Unit Definition
- 19 19 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 19 20 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 20 21 6 NYCRR 211.1: Air pollution prohibited

**Emission Unit Level**

- 20 22 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 20 23 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 2/FINAL

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

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

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

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

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

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

required to operate such device effectively.

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

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

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

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

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

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

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Item H: Proof of Eligibility for Sources Defined as Trivial**

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

**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)**

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

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: Compliance Demonstration**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

**Applicable Federal Requirement: 6 NYCRR 200.7**

**Item 1.1:**

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

Emission Unit: U-BCH01

**Item 1.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The facility shall monitor the differential pressure across the asphalt plant baghouse. The differential pressure shall be recorded daily if the plant is operating. The operator will ensure that the differential pressure remains between 0.5 and 10.0 inches of water. If the differential pressure falls outside of this range, the baghouse must be inspected and the appropriate corrective action taken. All corrective actions associated with the baghouse must be documented.

Parameter Monitored: PRESSURE CHANGE

Lower Permit Limit: 0.5 inches of water

Upper Permit Limit: 10.0 inches of water

Monitoring Frequency: DAILY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2: Facility Permissible Emissions**

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

Effective between the dates of 08/01/2024 and 07/31/2034

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

**Item 2.1:**

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

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

CAS No: 000630-08-0

PTE: 30,000 pounds per year

Name: CARBON MONOXIDE

**Condition 3: Capping Monitoring Condition**

Effective between the dates of 08/01/2024 and 07/31/2034

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

**Item 3.1:**

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

6 NYCRR Subpart 201-6

**Item 3.2:**

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

**Item 3.3:**

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

**Item 3.4:**

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

**Item 3.5:**

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

**Item 3.6:**

The Compliance Demonstration activity will be performed for the Facility.

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 3.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Facility-wide emissions of CO will be capped below the major source threshold by limiting asphalt production to 74,950 tons per consecutive twelve (12) month period, rolled monthly. This asphalt production limit equates to approximately 500 operating hours based of the facility's typical production rate of 150 tons per hour. The facility's CO emissions shall be summed up each month for every 12-month rolling period and shall not exceed 30,000 pounds per year. The potential to emit (PTE) CO from exempt, trivial, and insignificant sources shall be included, along with the actual CO emissions from permitted sources, in these emissions.

The source owner or operator shall use the most accurate emission factors available (e.g., latest published AP-42 factor, manufactures guarantee, stack test data, etc.), for each emission source, to determine compliance with the emission cap.

Should the Department determine that the permittee's emission factor(s) is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 30 days to revise its respective records and emission factor(s) in a manner acceptable to the Department.

On an annual basis, the responsible official shall provide a certification to the Department that the facility has operated within the limit imposed by the facility's asphalt production cap and that their actual CO emissions do not exceed the specified amount.

This compliance activity caps the facility out of the Title V permitting requirements contained in 6 NYCRR Subpart 201-6.

All of the records required to document compliance with the facility-wide emission cap above shall be maintained on-site for a period of at least five (5) years.

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

Work Practice Type: PROCESS MATERIAL THRUPUT  
 Process Material: ASPHALT  
 Upper Permit Limit: 74950 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 1/30/2025.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 4: Notification**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

**Applicable Federal Requirement:6 NYCRR 202-1.2**

**Item 4.1:**

A person who is required by the Department to submit a stack test report shall notify the Department, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow a representative of the Department free access to observe stack testing being conducted by such person.

**Condition 5: Acceptable procedures**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

**Applicable Federal Requirement:6 NYCRR 202-1.3**

**Item 5.1:**

(a) Emission testing, sampling, and analytical determinations to ascertain compliance with this Subchapter shall be conducted in accordance with test methods acceptable to the Department. The Reference Methods contained in 40 CFR Part 51, Appendix M; 40 CFR Part 60, Appendix A; 40 CFR Part 61, Appendix B; and 40 CFR Part 63, Appendix A (see Table 1, section 200.9 of this Title) and all future technical revisions, additions, or corrections made thereto shall be considered as acceptable test methods for those sources and contaminants for which they are expressly applicable, except where the Department has issued a specific method to be used instead of a Reference Method contained in these Federal regulations or where the Department determines that one or more alternate methods are also acceptable. The person who owns or operates an air contamination source shall submit the emission test report in triplicate to the Department within 60 days after the completion of tests. In the event such source owner/operator can demonstrate to the Department such time is not sufficient, the source owner/operator may submit a request in writing and be granted an extension. Where an opacity emission standard is applicable to the source tested, the emission test report shall include the opacity observation.

(b) Alternative emission test methods or deviations from acceptable test methods may be acceptable to the Department if the character of the test site or the emissions makes it impractical to utilize acceptable test methods or where no applicable test method is available. In such cases, the source owner/operator shall secure prior written acceptance by the Department of any proposed alternative emission test method. Requests for such prior acceptance shall include justification for substituting the alternative emission test method.

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

**Condition 6: Visible Emissions Limited**  
Effective between the dates of 08/01/2024 and 07/31/2034

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 6.1:**

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 7: Compliance Demonstration**  
Effective between the dates of 08/01/2024 and 07/31/2034

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

**Item 7.1:**

The Compliance Demonstration activity will be performed for the Facility.

**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 RM 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 8: Compliance Demonstration**  
Effective between the dates of 08/01/2024 and 07/31/2034

**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:



Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

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 9: Compliance Demonstration**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

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

**Item 9.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Prior to the replacement of each aggregate dryer burner, the owner or operator of a hot mix asphalt plant shall submit documentation to the Department for approval indicating that each replacement burner is designed to reduce emissions of Oxides of Nitrogen (NO<sub>x</sub>). Such documentation shall include a vendor certification or guarantee that the unit is a low NO<sub>x</sub> burner and the emission rate of NO<sub>x</sub> for each fuel combusted by the facility.

The facility owner or operator may not commence replacement of the burner until approval has been received from the Department.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 10: Compliance Demonstration**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

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

**Item 10.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

**Monitoring Description:**

Owners or operators of emission sources that fire residual oil are limited to a 0.50 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: FUEL OIL  
 Parameter Monitored: SULFUR CONTENT  
 Upper Permit Limit: 0.50 percent by weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 11: Compliance Demonstration**  
 Effective between the dates of 08/01/2024 and 07/31/2034

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

**Item 11.1:**  
 The Compliance Demonstration activity will be performed for the Facility.

**Item 11.2:**  
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
 Parameter Monitored: SULFUR CONTENT  
 Upper Permit Limit: 0.0015 percent by weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 12: Compliance Demonstration**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

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

**Item 12.1:**  
The Compliance Demonstration activity will be performed for the Facility.

**Item 12.2:**  
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.25 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 13: Applicability of Subpart A General Provisions**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

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

**Item 13.1:**  
This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

**Condition 14: Compliance Demonstration**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

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

**Item 14.1:**  
The Compliance Demonstration activity will be performed for the Facility.

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

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 0.04 grains of particulates per cubic foot of exhaust gas (90 mg/dscm), expressed at standard conditions on a dry gas basis. The facility owner or operator must submit a test protocol to the Department for approval at least 30 days prior to the proposed compliance test. The facility owner or operator must submit the compliance test results to the Department for approval within 60 days of the completion of the compliance test.

All records associated with this condition must be maintained at the facility or at a Department approved alternative location for a minimum of 10 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: Method 5

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 15: Compliance Demonstration**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

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

**Item 15.1:**

The Compliance Demonstration activity will be performed for the Facility.

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

**Item 15.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having a six minute average opacity of 20 percent or greater except for one six minute period not to exceed 27 percent. The owner or operator must maintain records of the opacity tests on site or at an alternative location approved by the Department for a minimum of 10 years.

**Permit ID: 5-1705-00004/00006**

**Facility DEC ID: 5170500004**

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: Method 9  
Monitoring Frequency: ANNUALLY  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

**STATE ONLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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

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

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

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

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 08/01/2024 and 07/31/2034**

**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: 000630-08-0  
 Name: CARBON MONOXIDE

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

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

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

**Condition 17: Malfunctions and Start-up/Shutdown Activities**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

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

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

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

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

**Condition 18: Emission Unit Definition**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

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

**Item 18.1:**



Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

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

Emission Unit: U-BCH01

Emission Unit Description:

The emission unit consists of a batch mix asphalt plant presently permitted to operate at this facility. The emission unit has one emission point, the baghouse exhaust, EP001. Emission sources in this emission unit are the drum dryer (DRM01), the drum heater burner (DHT02), and the baghouse (BH001). The plant will be on line power, and the burner may burn natural gas, #2 fuel oil, #4 fuel oil, or waste fuel A. The emissions include NO<sub>x</sub>, SO<sub>2</sub>, CO, particulates, and VOC. A process description is included for the operation of the batch plant on natural gas, #2 fuel oil, #4 fuel oil, or waste fuel A.

**Condition 19: Renewal deadlines for state facility permits**  
**Effective between the dates of 08/01/2024 and 07/31/2034**

**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 08/01/2024 and 07/31/2034**

**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.  
Warrensburg, NY 12885

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

**Condition 21: Air pollution prohibited**  
Effective between the dates of 08/01/2024 and 07/31/2034

**Applicable State Requirement:6 NYCRR 211.1**

**Item 21.1:**

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

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

**Condition 22: Emission Point Definition By Emission Unit**  
Effective between the dates of 08/01/2024 and 07/31/2034

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

**Item 22.1:**

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

Emission Unit: U-BCH01

Emission Point: EP001

Height (ft.): 18

Diameter (in.): 48

NYTMN (km.): 4765.245 NYTME (km.): 552.923

**Condition 23: Process Definition By Emission Unit**  
Effective between the dates of 08/01/2024 and 07/31/2034

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

**Item 23.1:**

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

Emission Unit: U-BCH01

Process: BP4

Source Classification Code: 3-05-002-01

Process Description:

Batch mix asphalt production using no. 4 fuel oil in the drum burner. Crushed stone is conveyed to a rotary drum stone dryer which dries and heats the aggregate. The material is then screened into enclosed storage bins, fed to a weigh hopper and transferred to a pug mill where asphaltic cement is mixed with the aggregate. The pug mill discharges finished asphaltic concrete to trucks by

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

gravity feed. The drum heater burns no. 4 fuel oil, producing predominantly CO, NOx and SO2, and the action of the drum on the aggregates generates particulate matter which is controlled by the baghouse (BH001), exhausting through the stack, emission point EP001.

Emission Source/Control: BH001 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: DRM01 - Process  
Design Capacity: 150 tons per hour

**Item 23.2:**

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

Emission Unit: U-BCH01  
Process: BPA Source Classification Code: 3-05-002-01

Process Description:

Batch mix asphalt production using waste fuel A in the drum burner. Crushed stone is conveyed to a rotary drum stone dryer which dries and heats the aggregate. The material is then screened into enclosed storage bins, fed to a weigh hopper and transferred to a pug mill where asphaltic cement is mixed with the aggregate. The pug mill discharges finished asphaltic concrete to trucks by gravity feed. The drum heater burns waste fuel A, producing predominantly CO, NOx and SO2, and the action of the drum on the aggregates generates particulate matter which is controlled by the baghouse (BH001), exhausting through the stack, emission point EP001.

Emission Source/Control: BH001 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: DRM01 - Process  
Design Capacity: 150 tons per hour

**Item 23.3:**

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

Emission Unit: U-BCH01  
Process: BPG Source Classification Code: 3-05-002-01

Process Description:

Batch mix asphalt production using natural gas in the drum burner. Crushed stone is conveyed to a rotary drum stone dryer which dries and heats the aggregate. The material is then screened into enclosed storage bins, fed to a weigh hopper and transferred to a pug mill where asphaltic cement is mixed with the aggregate. The pug mill discharges finished asphaltic concrete to trucks by gravity feed. The drum heater burns natural gas, producing primarily CO and NOx, and the action of the drum

Permit ID: 5-1705-00004/00006

Facility DEC ID: 5170500004

on the aggregates generates particulate matter which is controlled by the baghouse (BH001), exhausting through the stack, emission point EP001.

Emission Source/Control: BH001 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: DRM01 - Process  
Design Capacity: 150 tons per hour

**Item 23.4:**

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

Emission Unit: U-BCH01

Process: BPO

Source Classification Code: 3-05-002-01

Process Description:

Batch mix asphalt production using no. 2 fuel oil in the drum burner. Crushed stone is conveyed to a rotary drum stone dryer which dries and heats the aggregate. The material is then screened into enclosed storage bins, fed to a weigh hopper and transferred to a pug mill where asphaltic cement is mixed with the aggregate. The pug mill discharges finished asphaltic concrete to trucks by gravity feed. The drum heater burns no. 2 fuel oil, producing predominantly CO, NOx and SO2, and the action of the drum on the aggregates generates particulate matter which is controlled by the baghouse (BH001), exhausting through the stack, emission point EP001.

Emission Source/Control: BH001 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: DRM01 - Process  
Design Capacity: 150 tons per hour

**Permit ID: 5-1705-00004/00006**

**Facility DEC ID: 5170500004**