

Facility DEC ID: 5520500017

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 5-5205-00017/00012
Effective Date: 05/08/2020 Expiration Date: 05/07/2030

Permit Issued To: JOINTA GALUSHA LLC
269 BALLARD RD
Wilton, NY 12831

Contact: PETER B FITZGERALD
JOINTA GALUSHA LLC
269 BALLARD RD
WILTON, NY 12831
(518) 584-2421

Facility: JOINTA GALUSHA LLC GLENS FALLS LIME QUARRY
203 WARREN ST
GLENS FALLS, NY 12801

Description:
Permit Renewal

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: ___ / ___ / ___

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Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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Facility Level

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

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

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

Item 3.1:

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

Item 3.2:

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

Item 3.3

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

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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

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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Permit Issued To: JOINTA GALUSHA LLC
269 BALLARD RD
Wilton, NY 12831

Facility: JOINTA GALUSHA LLC GLENS FALLS LIME QUARRY
203 WARREN ST
GLENS FALLS, NY 12801

Authorized Activity By Standard Industrial Classification Code:
2951 - PAVING MIXTURES AND BLOCKS
1422 - CRUSHED AND BROKEN LIMESTONE

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- 28 25 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
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EU=U-00BMP,Proc=001

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NOTE: * preceding the condition number indicates capping.

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 1/FINAL

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

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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

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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: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)

Item 1.1:
 The Compliance Demonstration activity will be performed for the Facility.

Item 1.2:
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
 Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.

- ii. The responsible official must include in the annual certification report all terms and conditions contained in

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this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department’s Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Air Compliance Branch
 USEPA Region 2 DECA/ACB
 290 Broadway, 21st Floor
 New York, NY 10007

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer
 Region 5 Suboffice
 232 Golf Course Road
 Warrensburg, NY 12885-1172

The address for the BQA is as follows:

NYSDEC
 Bureau of Quality Assurance
 625 Broadway
 Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 7/30/2020.
 Subsequent reports are due on the same day each year

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Condition 2: Facility Permissible Emissions
Effective between the dates of 05/08/2020 and 05/07/2030

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: 194,000 pounds per year
Name: CARBON MONOXIDE	
CAS No: 0NY075-00-5	PTE: 194,000 pounds per year
Name: PM-10	
CAS No: 0NY210-00-0	PTE: 194,000 pounds per year
Name: OXIDES OF NITROGEN	

Condition 3: Capping Monitoring Condition
Effective between the dates of 05/08/2020 and 05/07/2030

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.

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Item 3.5:

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

Item 3.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility's CO emissions shall be summed up each month for every 12 month rolling period and shall not exceed 97 tpy. These emissions shall include the potential to emit (PTE) CO from exempt, trivial and insignificant sources.

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

Should the Department determine that 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.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 97 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2020.

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

Condition 4: Capping Monitoring Condition
Effective between the dates of 05/08/2020 and 05/07/2030

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Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 4.1:

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 4.2:

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

Item 4.3:

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 4.4:

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 4.5:

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 4.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY075-00-5 PM-10

Item 4.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility's PM-10 emissions shall be summed up each month for every 12 month rolling period and shall not exceed 97 tpy. These emissions shall include the potential to emit (PTE) PM-10 from exempt, trivial and insignificant sources.

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

Should the Department determine that 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.

Parameter Monitored: PM-10

Upper Permit Limit: 97 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2020.

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

Condition 5: Capping Monitoring Condition
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 5.1:

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

6 NYCRR 212-3.1 (a)

6 NYCRR 231-3.2

Item 5.2:

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

Item 5.3:

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 5.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of

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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 5.5:

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 5.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 5.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility's NO_x emissions shall be summed up each month for every 12 month rolling period and shall not exceed 97 tpy. These emissions shall include the potential to emit (PTE) NO_x from exempt, trivial and insignificant sources.

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

Should the Department determine that 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.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 97 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2020.

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

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Condition 6: Visible Emissions Limited
Effective between the dates of 05/08/2020 and 05/07/2030

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 05/08/2020 and 05/07/2030

Applicable Federal Requirement:6 NYCRR 212-2.1 (b)

Item 7.1:

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

Emission Unit: U-00BMP
Process: 001

Item 7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

For any air contaminant not listed on Table 2, unless it is solid particulate described in subdivision (c) of this Section, the facility owner or operator shall not allow emissions of an air contaminant to violate the requirements specified in Subdivision 212-2.3(a), Table 3 - Degree of Air Cleaning Required for Criteria Air Contaminants, or Subdivision 212-2.3(b), Table 4 - Degree of Air Cleaning Required for Non-Criteria Air Contaminants, as applicable, for the environmental rating assigned to the contaminant by the department.

Based on AP-42 emission factors and worst-case modeling, HMA facilities with a maximum facility-wide asphalt production of 150,000 TPY or less will comply with 6 NYCRR Subpart 212-2.3(b) – Table 4 and do not need to address toxic air contaminants further.

To insure compliance, the facility shall limit asphalt production to no greater than 150,000 tons during any 12-month period.

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Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: ASPHALTIC CONCRETE
Upper Permit Limit: 150,000 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 7/30/2020.
Subsequent reports are due every 12 calendar month(s).

Condition 8: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 8.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 8.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

Condition 9: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 9.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 9.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Condition 10: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 10.1:

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

Emission Unit: U-00BMP
Process: 001

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 production 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 submit 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.

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 11: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable Federal Requirement:6 NYCRR 225-1.2 (h)

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:

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Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with this limit will be based on vendor certifications.

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.

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

Condition 12: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable Federal Requirement: 6 NYCRR 225-1.2 (i)

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 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

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Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: WASTE OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.75 percent by weight
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 13: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 13.1:

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

Emission Unit: U-00BMP
Process: 001

Emission Source: BMP01

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

The combustion efficiency of the units while burning waste oil shall be at least 99%. The units shall be tested following the first delivery of Waste Fuel A to the facility, and upon request by the Administrator thereafter, to document compliance with this requirement. Testing shall be conducted in accordance with 6NCYRR Subpart 202.

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Permit Limit: 99 percent

Reference Test Method: EPA Methods 3 & 10

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

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

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 14: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable Federal Requirement:6 NYCRR 225-2.4 (b)

Item 14.1:

The Compliance Demonstration activity will be performed for the facility:

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The Compliance Demonstration applies to:

Emission Unit: U-00BMP

Process: 001

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Waste fuel A 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 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 shall not exceed .75% by weight;
 - 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 15: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 15.1:

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

Emission Unit: U-00BMP	Emission Point: APG01
Emission Unit: U-PORT1	Emission Point: 10006
Emission Unit: U-PORT1	Emission Point: 10007
Emission Unit: U-PORT1	Emission Point: E00G1

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 operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions whenever the source is in operation. If any unusual visible emissions are identified, corrective action is required.

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.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 16: Date of construction notification - If a COM is not used.
Effective between the dates of 05/08/2020 and 05/07/2030**

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Applicable Federal Requirement:40CFR 60.7(a), NSPS Subpart A**Item 16.1:**

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

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

Condition 17: Recordkeeping requirements.
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable Federal Requirement:40CFR 60.7(b), NSPS Subpart A**Item 17.1:**

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

Condition 18: Compliance with Standards and Maintenance Requirements
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable Federal Requirement:40CFR 60.11(d), NSPS Subpart A**Item 18.1:**

At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

Condition 19: applicability of subpart A

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Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 19.1:

This Condition applies to:

Emission Unit: UPORT1
Process: CON

Emission Unit: UPORT1
Process: CRH

Emission Unit: UPORT1
Process: SCN

Item 19.2:

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.

Condition 20: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 20.1:

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

Emission Unit: U-PORT1
Process: CRH

Item 20.2:

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 and periodic inspections of water sprays according to § 60.674(b) and § 60.676(b).

Affected facilities (as defined in §§ 60.670 and 60.671) that commence construction, modification, or

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

A repeat performance test according to § 60.11 of this part and § 60.675 of this subpart shall be performed within 5 years from the previous performance test for fugitive emissions from affected facilities without water sprays. Affected facilities controlled by water carryover from upstream water sprays that are inspected according to the requirements in § 60.674(b) and § 60.676(b) are exempt from this 5-year repeat testing requirement.

Parameter Monitored: OPACITY

Upper Permit Limit: 12 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 21: Compliance Demonstration

Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 21.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-PORT1

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Process: CON

Emission Unit: U-PORT1

Process: SCN

Item 21.2:

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 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 and periodic inspections of water sprays according to § 60.674(b) and § 60.676(b).

Affected facilities (as defined in §§ 60.670 and 60.671) that commence construction, modification, or reconstruction on or after 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 no later than 60 calendar days after resuming operation of the affected facility.

A repeat performance test according to § 60.11 of this

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part and § 60.675 of this subpart shall be performed within 5 years from the previous performance test for fugitive emissions from affected facilities without water sprays. Affected facilities controlled by water carryover from upstream water sprays that are inspected according to the requirements in § 60.674(b) and § 60.676(b) are exempt from this 5-year repeat testing requirement.

Parameter Monitored: OPACITY
 Upper Permit Limit: 7 percent
 Reference Test Method: Method 9
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
 Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 22: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 22.1:

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

Emission Unit: U-PORT1
 Process: CON

Emission Unit: U-PORT1
 Process: CRH

Emission Unit: U-PORT1
 Process: SCN

Item 22.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

The owner/operator must initiate corrective action within 24 hours and complete the corrective action as expediently as practical if the owner/operator finds that water is not

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flowing properly during an inspection of the water spray nozzles.

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 23.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 23.2:

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

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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 24: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 24.1:

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

Emission Unit: U-PORT1
 Process: CON

Emission Unit: U-PORT1
 Process: CRH

Emission Unit: U-PORT1
 Process: SCN

Item 24.2:

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:

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(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 25: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable Federal Requirement:40CFR 60.676, NSPS Subpart OOO

Item 25.1:

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

Emission Unit: U-PORT1
Process: CON

Emission Unit: U-PORT1
Process: CRH

Emission Unit: U-PORT1
Process: SCN

Item 25.2:

Compliance Demonstration shall include the following monitoring:

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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 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: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 26: Applicability
Effective between the dates of 05/08/2020 and 05/07/2030

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Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 26.1:

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

Condition 27: Engines at Area sources of HAP
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 27.1:

Internal combustion engines, constructed or re-constructed on or after June 12, 2006, that meet the requirements of 40 CFR 60 Subpart IIII or Subpart JJJJ meet the requirements of 40 CFR 63 Subpart ZZZZ.

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

Condition 28: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00BMP
Process: 001

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

Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.04 grains per dscf
Reference Test Method: EPA Method 5
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 29: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 29.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00BMP
Process: 001

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

Item 29.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;

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

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

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

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

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

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

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Facility DEC ID: 5520500017

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 30: Contaminant List

Effective between the dates of 05/08/2020 and 05/07/2030

Applicable State Requirement: ECL 19-0301

Item 30.1:

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: 0NY075-00-5
Name: PM-10

CAS No: 0NY210-00-0

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Name: OXIDES OF NITROGEN

Condition 31: Malfunctions and start-up/shutdown activities
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable State Requirement:6 NYCRR 201-1.4

Item 31.1:

(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 32: Emission Unit Definition
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 32.1:

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

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Emission Unit: U-00BMP

Emission Unit Description:

Portable 4 ton/minute bituminous concrete batch mix plant. Plant powered by a diesel engine-generator set (Cat model #3508DITA).

Item 32.2:

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

Emission Unit: U-PORT1

Emission Unit Description:

Operation of a portable aggregate processing plant. Processing equipment includes: 440 ton/hr jaw crusher, 504 ton/hr jaw crusher, a 375 ton/hr jaw crusher, a 230 ton/hr gyratory crusher, a 200 ton/hr vertical impact crusher, a 5' X 16' - 230 ton per hour single/double deck screen, a 5' X 16' triple deck screen, two 6' X 20' triple deck screens, and a total of 16 conveyors. The plant equipment is powered by three diesel engine-generator sets: Cat model #3412C DITA, Cat model #3408 and Cummins model #D-19. The equipment contained in this emission unit operates intermittently at this facility and at other facilities operated by the permittee and/or its affiliates. This permit authorizes operation at this facility only.

Condition 33: Renewal deadlines for state facility permits
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 33.1:

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 34: CLCPA Applicability
Effective between the dates of 05/08/2020 and 05/07/2030

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

Item 34.1:

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

Condition 35: Compliance Demonstration
Effective between the dates of 05/08/2020 and 05/07/2030

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

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

Item 35.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 35.2:

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: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2020.

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

Condition 36: Air pollution prohibited
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable State Requirement:6 NYCRR 211.1

Item 36.1:

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 37: Emission Point Definition By Emission Unit
Effective between the dates of 05/08/2020 and 05/07/2030

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 37.1:

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

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Emission Unit: U-00BMP

Emission Point: AP001

Height (ft.): 32 Length (in.): 59 Width (in.): 33
 NYTMN (km.): 4795.824 NYTME (km.): 611.032

Emission Point: APG01

Height (ft.): 10 Diameter (in.): 8
 NYTMN (km.): 4795.824 NYTME (km.): 611.032

Item 37.2:

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

Emission Unit: U-PORT1

Emission Point: 00002

Height (ft.): 20 Length (in.): 60 Width (in.): 192
 NYTMN (km.): 4796.037 NYTME (km.): 611.453

Emission Point: 10001

Height (ft.): 10 Length (in.): 22 Width (in.): 50
 NYTMN (km.): 4796.037 NYTME (km.): 611.453

Emission Point: 10003

Height (ft.): 10 Diameter (in.): 48
 NYTMN (km.): 4796.037 NYTME (km.): 611.453

Emission Point: 10004

Height (ft.): 10 Length (in.): 48 Width (in.): 192
 NYTMN (km.): 4796.037 NYTME (km.): 611.453

Emission Point: 10006

Height (ft.): 14 Diameter (in.): 8
 NYTMN (km.): 4796.037 NYTME (km.): 611.453

Emission Point: 10007

Height (ft.): 14 Diameter (in.): 6
 NYTMN (km.): 4796.037 NYTME (km.): 611.453

Emission Point: E0002

Height (ft.): 10 Length (in.): 35 Width (in.): 27
 NYTMN (km.): 4796.037 NYTME (km.): 611.453

Emission Point: E00G1

Height (ft.): 10 Diameter (in.): 4
 NYTMN (km.): 4796.037 NYTME (km.): 611.453

Condition 38: Process Definition By Emission Unit

Effective between the dates of 05/08/2020 and 05/07/2030

Applicable State Requirement:6 NYCRR Subpart 201-5

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Item 38.1:

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

Emission Unit: U-00BMP

Process: 001

Source Classification Code: 3-05-002-05

Process Description:

This NSPS hot mix asphalt consists of a portable 4 ton/minute bituminous concrete batch mix plant (Source ID: BMP01). Crushed stone is conveyed to a rotary dryer which dries and heats aggregate which is then screened into storage bins, fed to a hopper, and transferred to a pug mill where it is mixed with asphaltic concrete. Batch mix plant emissions controlled by a baghouse (Control ID: BAGH1) and exhausted to emission point AP001. The asphalt plant dryer fires either No. 4 oil or a blend of No. 4 oil and Waste Fuel A.

Emission Source/Control: BAGH1 - Control

Control Type: FABRIC FILTER

Emission Source/Control: BMP01 - Process

Design Capacity: 240 tons per hour

Item 38.2:

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

Emission Unit: U-00BMP

Process: 002

Source Classification Code: 2-02-001-02

Process Description:

Combustion of diesel fuel in an NSPS internal combustion engine, Caterpillar generator set model 3508 DITA (Source ID: GEN01A). Engine exhausted through emission point APG01.

Emission Source/Control: GEN1A - Combustion

Item 38.3:

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

Emission Unit: U-PORT1

Process: CON

Source Classification Code: 3-05-016-07

Process Description:

Conveying of aggregate material. Emission sources include 16 NSPS conveyors (ID: CNVRS).

Emission Source/Control: CNVRS - Process

Design Capacity: 230 tons per hour

Item 38.4:

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

Emission Unit: U-PORT1

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Process: CRH Source Classification Code: 3-05-320-01

Process Description:

Crushing of aggregate material. NSPS Emission sources include:

Any one of the following at Emission Point 10001 (primary crusher) - Telesmith 440 TPH jaw crusher (ID: 0J440), Cedar Rapids 504 TPH jaw crusher (ID: 0J504) or Eagle 1400 375 TPH jaw crusher (ID: 0J375). The Eagle 1400 crusher is controlled by a water spray (control ID: WAT03).

Any one of the following at Emission Point 10003 (secondary crusher) - Telesmith 48S 230 TPH gyratory crusher (ID: 0G230) or Cemco 80 200 TPH vertical impact crusher (ID: 0I200).

Emission Source/Control: WAT03 - Control
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 0G230 - Process
Design Capacity: 230 tons per hour

Emission Source/Control: 0I200 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: 0J375 - Process
Design Capacity: 375 tons per hour

Emission Source/Control: 0J440 - Process
Design Capacity: 440 tons per hour

Emission Source/Control: 0J504 - Process
Design Capacity: 504 tons per hour

Item 38.5:

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

Emission Unit: U-PORT1
Process: ENG Source Classification Code: 2-02-001-02

Process Description:

Combustion of diesel fuel in IC engine-generator sets. NSPS Emission sources include: Cat model # 3412C DITA (ID: GEN5A) at emission point 10006, Cummins model #D19 (ID: GEN06) at emission point E00G1, and Cat model #3408 (ID: GEN07) at emission point 10007.

Emission Source/Control: GEN06 - Combustion
Design Capacity: 25 gallons per hour

Emission Source/Control: GEN07 - Combustion

Emission Source/Control: GEN5A - Combustion

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Item 38.6:

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

Emission Unit: U-PORT1

Process: SCN

Source Classification Code: 3-05-320-14

Process Description:

Screening of aggregate material. NSPS Emission sources include: Cedar Rapids 5'X16' 230 TPH single/double deck screen (ID: SCR1) at emission point 10004, Pioneer 5'X16' triple deck screen (ID: SCR2) at emission point 00002, and two Eagle 6'X20' triple deck screens (SCR3 & SCR4) at emission point E0002. The conveyor feeding the Cedar Rapids screen is equipped with a water spray for dust control (control ID: WAT02).

Emission Source/Control: WAT02 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: SCR1 - Process

Design Capacity: 230 tons per hour

Emission Source/Control: SCR2 - Process

Emission Source/Control: SCR3 - Process

Emission Source/Control: SCR4 - Process

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017