

Facility DEC ID: 5522400010

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 5-5224-00010/00013  
Mod 0 Effective Date: 11/03/2016 Expiration Date: 11/02/2026  
Mod 1 Effective Date: 11/16/2016 Expiration Date: 11/02/2026  
Mod 2 Effective Date: 02/19/2021 Expiration Date: 11/02/2026  
Mod 3 Effective Date: 03/09/2023 Expiration Date: 11/02/2026

Permit Issued To: PECKHAM MATERIALS CORP  
172 Prospect Hill Rd  
Brewster, NY 10509

Facility: PECKHAM CHESTERTOWN PLT  
RTE 9  
CHESTERTOWN, NY 12817

Description:

Peckham Materials Corp. Chestertown Plant is a manufacturer of crushed stone, sand, and hot mix asphalt (HMA}. At the facility, stone is quarried and processed (crushed and screened) to produce construction aggregate and sand, which is either stored on site in stockpiles for later use or is loaded directly into trucks. The facility contains a modified 360 tph hybrid stationary HMA plant and a 325 tph HMA portable drum plant (EU/Process O-AS1 OO/AS1 and EU/Process O-AS200/AS2, respectively), which are both subject to New Source Performance Standards (NSPS). The 360 tph stationary plant's pug mill was replaced with a mixing drum in 2017. The 360 tph hybrid plant and stone crushing plant are powered by utility supplied electricity. The 325 tph HMA drum plant is powered by a 500 kW Caterpillar genset (EU/Process O-GN100/GN1 ). The HMA drum plant is also permitted to operate at Peckham Materials Plant 31 facility. Particulate emissions from the rotary dryer are controlled by a baghouse.

Facility DEC ID: 5522400010

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: 5522400010

**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: 5522400010

**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: 5522400010

**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 2-1: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6 NYCRR 621.11**

**Item 2-1.1:**

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 2-1.2:**

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

**Item 2-1.3**

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: 5522400010

**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: 5-5224-00010/00013

Facility DEC ID: 5522400010

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

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: PECKHAM MATERIALS CORP  
172 Prospect Hill Rd  
Brewster, NY 10509

Facility: PECKHAM CHESTERTOWN PLT  
RTE 9  
CHESTERTOWN, NY 12817

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

Mod 0 Permit Effective Date: 11/03/2016

Permit Expiration Date: 11/02/2026

Mod 1 Permit Effective Date: 11/16/2016

Permit Expiration Date: 11/02/2026

Mod 2 Permit Effective Date: 02/19/2021

Permit Expiration Date: 11/02/2026

Mod 3 Permit Effective Date: 03/09/2023

Permit Expiration Date: 11/02/2026

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 7 1 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- 7 \*2-1 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 9 \*2-2 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 10 \*2-3 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 12 38 6 NYCRR 211.2: Visible Emissions Limited
- 12 39 6 NYCRR 211.2: Compliance Demonstration
- 13 2-4 6 NYCRR 211.2: Compliance Demonstration
- 13 2-5 6 NYCRR 212-1.6 (a): Compliance Demonstration
- 15 2-6 6 NYCRR 212-4.1 (a) (1): Compliance Demonstration
- 15 2-7 6 NYCRR 212-4.1 (a) (2): Compliance Demonstration
- 16 2-8 6 NYCRR 212-4.1 (b): Compliance Demonstration
- 17 2-9 6 NYCRR 225-1.2 (c): Compliance Demonstration
- 17 2-10 6 NYCRR 225-1.2 (e): Compliance Demonstration
- 18 2-11 6 NYCRR 225-2.5: Compliance Demonstration
- 19 2-12 6 NYCRR 225-2.5: Compliance Demonstration
- 20 2-13 6 NYCRR 225-2.5: Compliance Demonstration
- 20 2-14 6 NYCRR 225-2.5: Compliance Demonstration
- 21 2-15 6 NYCRR 225-2.5: Compliance Demonstration
- 22 2-16 6 NYCRR 225-2.5: Compliance Demonstration
- 23 2-17 6 NYCRR 225-2.5: Compliance Demonstration
- 24 2-18 6 NYCRR 225-2.6: Compliance Demonstration
- 25 2-19 6 NYCRR 227-1.3 (a): Compliance Demonstration
- 25 2-20 6 NYCRR 227.2 (b) (1): Compliance Demonstration
- 26 17 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions
- 27 2-21 40CFR 60.90, NSPS Subpart I: Compliance Demonstration
- 27 2-22 40CFR 60.90, NSPS Subpart I: Compliance Demonstration
- 28 20 40CFR 60.670(d)(1), NSPS Subpart OOO: Exemption for  
equipment replacement when equipment does not increase emissions
- 28 21 40CFR 60.670(f), NSPS Subpart OOO: applicability of subpart A
- 29 2-23 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 30 2-24 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 31 2-25 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 33 2-26 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 34 2-27 40CFR 60.674(b), NSPS Subpart OOO: Compliance Demonstration
- 35 2-28 40CFR 60.675(c), NSPS Subpart OOO: Compliance Demonstration
- 36 2-29 40CFR 60.675(e), NSPS Subpart OOO: Compliance Demonstration
- 37 2-30 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
- 38 2-31 40CFR 60.676(a), NSPS Subpart OOO: Compliance Demonstration
- 40 31 40CFR 63, Subpart ZZZZ: Compliance and Enforcement
- 40 2-32 40CFR 63, Subpart ZZZZ: Compliance Demonstration

**Emission Unit Level**

**EU=0-AS100,Proc=AS1,ES=BLSMK**

- 41 3-1 6 NYCRR 212-1.6 (a): Compliance Demonstration
- 41 3-2 6 NYCRR Part 212: Compliance Demonstration



Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 44 33 ECL 19-0301: Contaminant List
- 45 3-3 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 46 2-33 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 47 35 6 NYCRR Subpart 201-5: Emission Unit Definition
- 48 36 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 48 2-34 6 NYCRR 201-5.3 (c): CLCPA Applicability
- 48 2-35 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 49 5 6 NYCRR 211.1: Air pollution prohibited
- 49 2-36 6 NYCRR 212-2.1: Compliance Demonstration
- 50 2-37 6 NYCRR 212-2.1 (a): Compliance Demonstration

**Emission Unit Level**

- 51 42 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 51 43 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 1/Mod 3/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: 5-5224-00010/00013

Facility DEC ID: 5522400010

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: 5-5224-00010/00013

Facility DEC ID: 5522400010

**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: 5-5224-00010/00013

Facility DEC ID: 5522400010

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1: Facility Permissible Emissions**  
**Effective between the dates of 11/03/2016 and 11/02/2026**

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

**Item 1.1:**

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

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

per year	CAS No: 000630-08-0 (From Mod 3)	PTE: 184,140 pounds
	Name: CARBON MONOXIDE	
per year	CAS No: 007446-09-5 (From Mod 3)	PTE: 42,320 pounds
	Name: SULFUR DIOXIDE	
per year	CAS No: 0NY075-00-5 (From Mod 3)	PTE: 30,400 pounds
	Name: PM-10	
per year	CAS No: 0NY210-00-0 (From Mod 3)	PTE: 155,680 pounds
	Name: OXIDES OF NITROGEN	
per year	CAS No: 0NY998-00-0 (From Mod 3)	PTE: 16,360 pounds
	Name: VOC	

**Condition 2-1: Capping Monitoring Condition**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**Replaces Condition(s) 4**

**Item 2-1.1:**

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

- 6 NYCRR 201-6.1 (a)
- 6 NYCRR 227-2.1

**Item 2-1.2:**

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

**Item 2-1.3:**

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 2-1.4:**

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

**Item 2-1.5:**

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

**Item 2-1.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

- CAS No: 000630-08-0 CARBON MONOXIDE
- CAS No: 007446-09-5 SULFUR DIOXIDE
- CAS No: 0NY075-00-5 PM-10
- CAS No: 0NY998-00-0 VOC
- CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 2-1.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall not exceed a diesel fuel usage rate of

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

251,728 gallons per year, on a 12-month rolling total basis. This fuel and production caps contained in this permit limit the facility-wide potentials to emit for NO<sub>x</sub>, SO<sub>2</sub>, CO, VOC, and PM-10 below major source thresholds.

Work Practice Type: PROCESS MATERIAL THRUPUT  
Process Material: DIESEL OIL  
Upper Permit Limit: 251728 gallons 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 1/30/2022.  
Subsequent reports are due every 12 calendar month(s).

**Condition 2-2: Capping Monitoring Condition**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 2**

**Item 2-2.1:**

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

6 NYCRR 201-6.1 (a)

**Item 2-2.2:**

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

**Item 2-2.3:**

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

**Item 2-2.4:**

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

**Item 2-2.5:**

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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**Item 2-2.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 2-2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall not exceed a combined crushed stone and RAP production rate of 1,824,760 tons per year, on a 12-month rolling total basis. The production caps contained in this permit limit the facility-wide potentials to emit for PM-10 below major source thresholds.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: STONE

Upper Permit Limit: 1824760 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 1/30/2022.

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

**Condition 2-3: Capping Monitoring Condition**

**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 3**

**Item 2-3.1:**

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 201-6.1 (a)

6 NYCRR 227-2.1

**Item 2-3.2:**

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

**Item 2-3.3:**

The owner or operator of the permitted facility must maintain all required records on-site for a



Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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 2-3.4:**

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 2-3.5:**

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 2-3.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0	CARBON MONOXIDE
CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY075-00-5	PM-10
CAS No: 0NY998-00-0	VOC
CAS No: 0NY210-00-0	OXIDES OF NITROGEN

**Item 2-3.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall not exceed an asphalt production rate of 400,000 tons per year, on a 12-month rolling total basis. The production caps contained in this permit limit the facility-wide potentials to emit for NOx, SO2, CO, VOC, and PM-10 below the major source thresholds.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALTIC CONCRETE

Upper Permit Limit: 400000.0 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 1/30/2022.

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

**Condition 38: Visible Emissions Limited**

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Effective between the dates of 11/03/2016 and 11/02/2026

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 38.1:**

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 39: Compliance Demonstration**

Effective between the dates of 11/03/2016 and 11/02/2026

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 39.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 39.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

The following data must be recorded for each observation:

The date and time of the complaint,  
The name, address and phone # of the complainant (if given),

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

The complainants description of the complaint,  
 The facility's evaluation of the complaint, and  
 The corrective measures taken.

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-4: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 2-4.1:**  
 The Compliance Demonstration activity will be performed for the Facility.

**Item 2-4.2:**  
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

Except as permitted by a specific part of Title 6 of the NYCRR 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 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.

Reference Test Method: Reference Method 9  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: 6 MINUTE AVERAGE  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-5: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 6**

**Item 2-5.1:**  
 The Compliance Demonstration activity will be performed for the facility:  
 The Compliance Demonstration applies to:

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Emission Unit: 0-ST100  
Process: ST1

Emission Unit: 0-ST100  
Process: ST4

**Item 2-5.2:**

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 from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of an EPA Reference Test Method 9 opacity evaluation at any time during facility operation.

The facility owner or operator shall conduct a visible emissions observation of all emission points specified by this condition once per day while the process is in operation. The facility owner or operator will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard specified below.

The facility owner or operator 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 limit specified (except the emission of uncombined water) are observed for three consecutive operating days from the same emission point, the facility owner or operator will notify the Department of the observations within one business day. The facility owner or operator will also perform an EPA Reference Test Method 9 opacity evaluation analysis of the affected emission point and submit the results to the Department.

Daily records of the visible emissions observations, any follow-up Method 9 observations, investigations, and corrective actions taken are to be maintained on site for a period of at least five years from the date of

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

the record. Such records shall include the date and time of each observation, weather conditions, results of the observation, corrective actions taken, and explanations for days when weather conditions were prohibitive.

All records kept pursuant to this condition must be provided to the Department upon request.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: EPA Reference Test 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 2-6: Compliance Demonstration**  
Effective between the dates of 02/19/2021 and 11/02/2026

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

**Replaces Condition(s) 7**

**Item 2-6.1:**  
The Compliance Demonstration activity will be performed for the facility:  
The Compliance Demonstration applies to:

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-6.2:**  
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 2-7: Compliance Demonstration**  
Effective between the dates of 02/19/2021 and 11/02/2026

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

**Replaces Condition(s) 8**

**Item 2-7.1:**  
The Compliance Demonstration activity will be performed for the Facility.

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**Item 2-7.2:**

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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-8: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 9**

**Item 2-8.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-AS100

Emission Unit: 0-AS200

Regulated Contaminant(s):

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

**Item 2-8.2:**

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 (NOx). Such documentation shall include a vendor certification or guarantee that the unit is a low NOx burner and the emission rate of NOx 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.

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-9: Compliance Demonstration**  
Effective between the dates of 02/19/2021 and 11/02/2026

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

**Item 2-9.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire 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: RESIDUAL FUEL (#4, #5 AND/OR #6 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 2-10: Compliance Demonstration**  
Effective between the dates of 02/19/2021 and 11/02/2026

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

**Item 2-10.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire waste oil are limited to a 0.75 percent sulfur content by weight

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

of the fuel thru June 30, 2023. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

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

**Condition 2-11: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

**Applicable Federal Requirement:6 NYCRR 225-2.5**

**Item 2-11.1:**

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

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator of a facility permitted to burn waste oil is limited to burning waste oil that contains less than 5 ppm Arsenic. The owner or operator is required to either sample, analyze, and measure each load of waste oil received or maintain copies of supplier analyses of each load received.

Records shall be kept of the total quantity of waste oil received as well as the name and address of each waste oil supplier. Copies of all records shall be maintained on site for a minimum of five years. Title V facilities shall submit reports to the Department on a semiannual calendar basis that all records required in Section 225-2.6 are being maintained at the facility. All facilities shall submit copies of these records upon the Department's request.



Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: WASTE OIL  
Parameter Monitored: ARSENIC  
Upper Permit Limit: 5 Parts per million, dry 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 2-12: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

**Applicable Federal Requirement:6 NYCRR 225-2.5**

**Item 2-12.1:**

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

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-12.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The owner or operator of a facility permitted to burn waste oil is limited to burning waste oil that contains less than 2 ppm Cadmium. The owner or operator is required to either sample, analyze, and measure each load of waste oil received or maintain copies of supplier analyses of each load received.

Records shall be kept of the total quantity of waste oil received as well as the name and address of each waste oil supplier. Copies of all records shall be maintained on site for a minimum of five years. Title V facilities shall submit reports to the Department on a semiannual calendar basis that all records required in Section 225-2.6 are being maintained at the facility. All facilities shall submit copies of these records upon the Department's request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: WASTE OIL  
Parameter Monitored: CADMIUM  
Upper Permit Limit: 2 Parts per million, dry weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-13: Compliance Demonstration**  
Effective between the dates of 02/19/2021 and 11/02/2026

**Applicable Federal Requirement:6 NYCRR 225-2.5**

**Item 2-13.1:**

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

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The owner or operator of a facility permitted to burn waste oil is limited to burning waste oil that contains less than 10 ppm Chromium. The owner or operator is required to either sample, analyze, and measure each load of waste oil received or maintain copies of supplier analyses of each load received.

Records shall be kept of the total quantity of waste oil received as well as the name and address of each waste oil supplier. Copies of all records shall be maintained on site for a minimum of five years. Title V facilities shall submit reports to the Department on a semiannual calendar basis that all records required in Section 225-2.6 are being maintained at the facility. All facilities shall submit copies of these records upon the Department's request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CHROMIUM

Upper Permit Limit: 10 Parts per million, dry 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 2-14: Compliance Demonstration**  
Effective between the dates of 02/19/2021 and 11/02/2026

**Applicable Federal Requirement:6 NYCRR 225-2.5**

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**Item 2-14.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator of a facility permitted to burn waste oil is limited to burning waste oil that has a minimum gross heat content of 125,000 Btu per gallon. The owner or operator is required to either sample, analyze, and measure each load of waste oil received or maintain copies of supplier analyses of each load received.

Records shall be kept of the total quantity of waste oil received as well as the name and address of each waste oil supplier. Copies of all records shall be maintained on site for a minimum of five years. Title V facilities shall submit reports to the Department on a semiannual calendar basis that all records required in Section 225-2.6 are being maintained at the facility. All facilities shall submit copies of these records upon the Department's request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: HEAT CONTENT

Lower Permit Limit: 125000 British thermal units per gallon

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-15: Compliance Demonstration**

**Effective between the dates of 02/19/2021 and 11/02/2026**

**Applicable Federal Requirement:6 NYCRR 225-2.5**

**Item 2-15.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-15.2:**

Compliance Demonstration shall include the following monitoring:

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator of a facility permitted to burn waste oil is limited to burning waste oil that contains less than 100 ppm Lead. The owner or operator is required to either sample, analyze, and measure each load of waste oil received or maintain copies of supplier analyses of each load received.

Records shall be kept of the total quantity of waste oil received as well as the name and address of each waste oil supplier. Copies of all records shall be maintained on site for a minimum of five years. Title V facilities shall submit reports to the Department on a semiannual calendar basis that all records required in Section 225-2.6 are being maintained at the facility. All facilities shall submit copies of these records upon the Department's request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: LEAD

Upper Permit Limit: 100 Parts per million, dry 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 2-16: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

**Applicable Federal Requirement: 6 NYCRR 225-2.5**

**Item 2-16.1:**

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

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-16.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator of a facility permitted to burn waste oil is limited to burning waste oil that contains less than 2 ppm Polychlorinated Biphenyls (PCBs). The

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

owner or operator is required to either sample, analyze, and measure each load of waste oil received or maintain copies of supplier analyses of each load received.

Records shall be kept of the total quantity of waste oil received as well as the name and address of each waste oil supplier. Copies of all records shall be maintained on site for a minimum of five years. Title V facilities shall submit reports to the Department on a semiannual calendar basis that all records required in Section 225-2.6 are being maintained at the facility. All facilities shall submit copies of these records upon the Department's request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: WASTE OIL  
 Parameter Monitored: POLYCHLORINATED BIPHENYL  
 Upper Permit Limit: 2 Parts per million, dry 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 2-17: Compliance Demonstration**  
 Effective between the dates of 02/19/2021 and 11/02/2026

**Applicable Federal Requirement:6 NYCRR 225-2.5**

**Item 2-17.1:**

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

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-17.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator of a facility permitted to burn waste oil is limited to burning waste oil that contains less than 1000 ppm Total Halogens. The owner or operator is required to either sample, analyze, and measure each load of waste oil received or maintain copies of supplier analyses of each load received.

Records shall be kept of the total quantity of waste oil received as well as the name and address of each waste oil

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

supplier. Copies of all records shall be maintained on site for a minimum of five years. Title V facilities shall submit reports to the Department on a semiannual calendar basis that all records required in Section 225-2.6 are being maintained at the facility. All facilities shall submit copies of these records upon the Department's request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: WASTE OIL  
 Parameter Monitored: HALOGEN, TOTAL ORGANIC  
 Upper Permit Limit: 1000 Parts per million, dry 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 2-18: Compliance Demonstration**  
 Effective between the dates of 02/19/2021 and 11/02/2026

**Applicable Federal Requirement:6 NYCRR 225-2.6**

**Item 2-18.1:**

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

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-18.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) The owner or operator of a facility permitted to burn waste oil shall:

(1) sample, analyze, and measure each load of waste oil received, or maintain copies of supplier provided analyses of each load of waste oil received, to prove compliance with the limits listed in Table 1 of section 225-2.5 of this Subpart; and

(2) maintain, for a minimum of five years, records of the total quantity of waste oil received and the names, addresses, and waste oil analysis from each waste oil supplier.

(b) Owners or operators required to maintain and retain records pursuant to this section must make such records available for inspection by the department during normal business hours. These records must be submitted upon request to the department.

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

(c) Sampling and analysis of waste oil samples must be carried out in accordance with methods acceptable to the department.

(d) Owners or operators of space heaters that fire waste oil located in automotive maintenance/service facilities or marine service facilities must sample and analyze the waste oil upon the request of the department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-19: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 15**

**Item 2-19.1:**

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

Emission Unit: 0-GN100

Emission Point: AS003

**Item 2-19.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average referenced in test Method 9 in Appendix A of 40 CFR 60. The Department reserves the right to perform or require the performance of Method 9 opacity evaluation at any time during the facility operations.

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 (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-20: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

**Applicable Federal Requirement:6 NYCRR 227.2 (b) (1)**

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**Replaces Condition(s) 16**

**Item 2-20.1:**

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

Emission Unit: 0-GN100                      Emission Point: AS003

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

**Item 2-20.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.10 grains of particulate per cubic foot of exhaust gas, expressed at standard conditions on a dry basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 17:      Applicability of Subpart A General Provisions  
Effective between the dates of 11/03/2016 and 11/02/2026**

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

**Item 17.1:**

This Condition applies to:

Emission Unit: 0AS100  
Process: AS1

Emission Unit: 0AS200  
Process: AS2

**Item 17.2:**

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 2-21:      Compliance Demonstration**



Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Effective between the dates of 02/19/2021 and 11/02/2026

Applicable Federal Requirement:40CFR 60.90, NSPS Subpart I

Replaces Condition(s) 19

**Item 2-21.1:**

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

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-21.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The particulate matter emissions from an affected hot mix asphalt plant must not exceed 0.04 grains per dscf. Testing shall be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-22: Compliance Demonstration**

Effective between the dates of 02/19/2021 and 11/02/2026

Applicable Federal Requirement:40CFR 60.90, NSPS Subpart I

Replaces Condition(s) 18

**Item 2-22.1:**

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

Emission Unit: 0-AS100

Emission Unit: 0-AS200

**Item 2-22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The opacity from an affected hot mix asphalt plant must

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

not exceed 20% based on a 6 minute average. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during the facility is operations.

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 (METHOD 9)  
 Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 20: Exemption for equipment replacement when equipment does not increase emissions**  
**Effective between the dates of 11/03/2016 and 11/02/2026**

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

**Item 20.1:**

This Condition applies to:

Emission Unit: 0ST100  
 Process: ST2

Emission Unit: 0ST100  
 Process: ST3

**Item 20.2:**

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

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

**Condition 21: applicability of subpart A**  
**Effective between the dates of 11/03/2016 and 11/02/2026**

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

**Item 21.1:**

This Condition applies to:

Emission Unit: 0ST100

**Item 21.2:**

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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 2-23: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 22**

**Item 2-23.1:**

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

Emission Unit: 0-ST100  
 Process: ST3

**Item 2-23.2:**

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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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: 7 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-24: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 23**

**Item 2-24.1:**

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

Emission Unit: 0-ST100

Process: ST2

**Item 2-24.2:**

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.

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Affected facilities (as defined in §§ 60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008 must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under § 60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

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

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

Parameter Monitored: OPACITY

Upper Permit Limit: 15 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-25: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 24**

**Item 2-25.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-ST100

Process: ST3

**Item 2-25.2:**

Compliance Demonstration shall include the following monitoring:

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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 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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

## DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-26: Compliance Demonstration****Effective between the dates of 02/19/2021 and 11/02/2026****Applicable Federal Requirement: 40CFR 60.672(b), NSPS Subpart OOO****Replaces Condition(s) 25****Item 2-26.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-ST100

Process: ST2

**Item 2-26.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

Affected facilities that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008 must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under § 60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

For performance tests involving only Method 9 (40 CFR part 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.

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-27: Compliance Demonstration**

Effective between the dates of 02/19/2021 and 11/02/2026

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

Replaces Condition(s) 26

**Item 2-27.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-ST100

Process: ST3

**Item 2-27.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

The owner/operator must initiate corrective action within 24 hours and complete the corrective action as expeditiously as practical if the owner/operator finds that water is not flowing properly during an inspection of the water spray nozzles.

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



Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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 2-28: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 27**

**Item 2-28.1:**

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

Emission Unit: 0-ST100  
 Process: ST2

Emission Unit: 0-ST100  
 Process: ST3

**Item 2-28.2:**

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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-29: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 28**

**Item 2-29.1:**

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

Emission Unit: 0-ST100  
 Process: ST2

Emission Unit: 0-ST100  
 Process: ST3

**Item 2-29.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

(i) Use for the combined emission stream the highest

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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 2-30: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 29**

**Item 2-30.1:**

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

Emission Unit: 0-ST100  
 Process: ST2

Emission Unit: 0-ST100  
 Process: ST3

**Item 2-30.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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 2-31: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**Replaces Condition(s) 30**

**Item 2-31.1:**

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

Emission Unit: 0-ST100

**Item 2-31.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator seeking to comply with 40 CFR Part 60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

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

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

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

(2) For a screening operation:

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

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

(3) For a conveyor belt:

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

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 31: Compliance and Enforcement**

Effective between the dates of 11/03/2016 and 11/02/2026

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

**Item 31.1:**

This Condition applies to:

Emission Unit: 0GN100

**Item 31.2:**

The Department has not accepted delegation of 40 CFR Part 63 Subpart ZZZZ. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 63 Subpart ZZZZ during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

**Condition 2-32: Compliance Demonstration**

Effective between the dates of 02/19/2021 and 11/02/2026

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

**Replaces Condition(s) 32**

**Item 2-32.1:**

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

Emission Unit: 0-GN100

**Item 2-32.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Department has not accepted delegation of 40 CFR Part 63 Subpart ZZZZ. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080.

Should the Department decide to accept delegation of 40 CFR Part 63 Subpart ZZZZ during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

This renewal permit is issued on the basis that the owner or operator will be in compliance with this Subpart prior to commencing operations in 2017. A notification of compliance status shall be submitted to the Department no later than March 30, 2017.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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

**Condition 3-1: Compliance Demonstration**  
Effective between the dates of 03/09/2023 and 11/02/2026

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

**Item 3-1.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-AS100

Process: AS1

Emission Source: BLSMK

**Item 3-1.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Other than periods of start up or shutdown, 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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 3-2: Compliance Demonstration**  
Effective between the dates of 03/09/2023 and 11/02/2026

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**Applicable Federal Requirement:6 NYCRR Part 212**

**Item 3-2.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-AS100

Process: AS1

Emission Source: BLSMK

**Item 3-2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Hot Mix Asphalt (HMA) facility, except during start up and shutdown periods, must maintain negative pressure at the top of silo control system, with all openings in closed position during silo filling operations. The pressure shall be checked once daily during normal operating parameters and recorded. Records shall be kept on site.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

**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: 5-5224-00010/00013

Facility DEC ID: 5522400010

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 33: Contaminant List**

**Effective between the dates of 11/03/2016 and 11/02/2026**

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

**Item 33.1:**

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: 007440-02-0  
Name: NICKEL METAL AND INSOLUBLE COMPOUNDS

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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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

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

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

CAS No: 0NY998-00-0  
Name: VOC

**Condition 3-3: Malfunctions and Start-up/Shutdown Activities**  
**Effective between the dates of 03/09/2023 and 11/02/2026**

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

**Item 3-3.1:**

(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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

listed above must be adhered to in such circumstances.

**Condition 2-33: Malfunctions and Start-up/Shutdown Activities**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 34**

**Item 2-33.1:**

(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 35: Emission Unit Definition**

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Effective between the dates of 11/03/2016 and 11/02/2026

**Applicable State Requirement:6 NYCRR Subpart 201-5****Item 35.1(From Mod 3):**

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

Emission Unit: 0-AS100

Emission Unit Description:

Modified, 360 tph hybrid stationary hot-mix asphalt (HMA) concrete plant. This emission unit consists of six 200-ton silos. Crushed stone is conveyed to rotating stone dryer which dries aggregate. Aggregate is then transferred to a mixing drum and mixed with asphaltic concrete and RAP. The drag slat and storage silos are equipped with a blue smoke capture system. The plant is powered by utility-supplied electric.

**Item 35.2(From Mod 3):**

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

Emission Unit: 0-ST100

Emission Unit Description:

This emission unit consists of a stone and RAP crushing plants. Process ST1 identifies the stone processing plant emission sources which are not subject to NSPS, Subpart OOO. Processes ST2 and ST3 groups the remainder of the stone processing plant emission sources subject to pre and post 4/22/2008 NSPS requirements, respectively. The fourth process, ST4, consists of all emission sources associated with the RAP crushing plant. The RAP plant consists entirely of NSPS sources, with the exception of the RAP hammer mill. These plants are powered by utility-supplied electricity.

**Item 35.3(From Mod 2):**

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

Emission Unit: 0-AS200

Emission Unit Description:

325 tph drum portable hot-mix asphalt (HMA) concrete plant. Crushed stone is conveyed to rotating stone dryer which dries the aggregate. Aggregate then mixes with asphalt. This emission unit is permitted to operate at either this site or the Peckham Vaughn Road site. Note: plant powered by Cat. generator set model no. 3512 (1250 kw) [0-GN100]; a separate emission unit. Plant may also be powered via utility-supplied electric.

**Item 35.4(From Mod 2):**

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

Emission Unit: 0-GN100

Emission Unit Description:

This Caterpillar generator, model no. 3512 (1250 kW), has a diesel engine and is used to power an asphalt drum plant

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

(ie., ES. id. PLNT2). This emission unit is permitted to operate at either this site or the Peckham Vaughn Rd site in Hudson Falls.

**Condition 36: Renewal deadlines for state facility permits**  
**Effective between the dates of 11/03/2016 and 11/02/2026**

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

**Item 36.1:**

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 2-34: CLCPA Applicability**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Item 2-34.1:**

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 2-35: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 37**

**Item 2-35.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-35.2:**

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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 5: Air pollution prohibited**  
**Effective between the dates of 11/03/2016 and 11/02/2026**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 5.1:**

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

**Condition 2-36: Compliance Demonstration**  
**Effective between the dates of 02/19/2021 and 11/02/2026**

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

**Replaces Condition(s) 40**

**Item 2-36.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-36.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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

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

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-37: Compliance Demonstration**

Effective between the dates of 02/19/2021 and 11/02/2026

Applicable State Requirement: 6 NYCRR 212-2.1 (a)

Replaces Condition(s) 41

**Item 2-37.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007440-02-0 NICKEL METAL AND INSOLUBLE COMPOUNDS

**Item 2-37.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For an air contaminant listed in Section 212-2.2 Table 2 – High Toxicity Air Contaminant List, of this Part, the facility owner or operator shall limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC.

(007440-02-0) Nickel Compounds = 10 pounds per year

Facility owner or operator shall maintain records demonstrating compliance with this mass limit. All records required to document compliance shall be maintained on-site for a period of at least five (5) years and made available to NYSDEC and/or USEPA representatives upon request. Along with the annual capping certification, the owner or operator shall submit a compliance statement indicating whether or not a deviation from this limit occurred during the monitoring period.



Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

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

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

**Condition 42: Emission Point Definition By Emission Unit**  
Effective between the dates of 11/03/2016 and 11/02/2026

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

**Item 42.1(From Mod 0):**

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

Emission Unit: 0-AS100

Emission Point: AS001

Height (ft.): 36

Diameter (in.): 48

NYTMN (km.): 4830.865 NYTME (km.): 596.57

**Item 42.2(From Mod 0):**

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

Emission Unit: 0-AS200

Emission Point: AS002

Height (ft.): 35

Length (in.): 48

Width (in.): 48

NYTMN (km.): 4830.865 NYTME (km.): 596.57

**Item 42.3(From Mod 2):**

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

Emission Unit: 0-GN100

Emission Point: AS003

Height (ft.): 18

Diameter (in.): 10

NYTMN (km.): 4830.865 NYTME (km.): 596.57

**Condition 43: Process Definition By Emission Unit**  
Effective between the dates of 11/03/2016 and 11/02/2026

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

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

**Item 43.1(From Mod 3):**

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

Emission Unit: 0-AS100

Process: AS1

Source Classification Code: 3-05-002-42

Process Description:

Modified 360 tph hybrid stationary hot-mix asphalt (HMA) concrete plant. Crushed stone is conveyed to a rotating stone dryer which is fired on No. 2 fuel oil, No. 4 fuel oil or waste oil. Aggregate is then transferred to a mixing drum (pug mill replaced 2017) and blended with asphaltic cement, and RAP to produce a homogeneous asphalt paving mixture. Plant is powered by utility-supplied electric.

Emission Source/Control: 00001 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 00002 - Control

Control Type: GRAVITY COLLECTOR

Emission Source/Control: BLSMK - Control

Control Type: PROCESS ENCLOSED (ENCLOSURE)

Emission Source/Control: PLNT1 - Process

Design Capacity: 360 tons per hour

Emission Source/Control: SILOS - Process

Design Capacity: 1,200 tons

**Item 43.2(From Mod 3):**

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

Emission Unit: 0-ST100

Process: ST3

Source Classification Code: 3-05-025-01

Process Description:

This process identifies crushers, screens, and conveyors subject to NSPS Subpart OOO for equipment constructed on and after 4/22/2008

Emission Source/Control: 00035 - Process

Emission Source/Control: 00040 - Process

Design Capacity: 600 tons per hour

Emission Source/Control: 00041 - Process

Design Capacity: 600 tons per hour

Emission Source/Control: 00042 - Process

Design Capacity: 350 tons per hour

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Emission Source/Control: 00043 - Process  
 Design Capacity: 450 tons per hour

Emission Source/Control: 00044 - Process  
 Design Capacity: 450 tons per hour

Emission Source/Control: 00045 - Process  
 Design Capacity: 350 tons per hour

**Item 43.3(From Mod 2):**

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

Emission Unit: 0-AS200

Process: AS2

Source Classification Code: 3-05-002-42

Process Description:

325 tph portable drum hot-mix asphalt (HMA) concrete plant. Crushed stone is conveyed to a rotating stone dryer which is fired on No. 2 fuel oil, No. 4 fuel oil or waste oil. This drum is also used to blend aggregate, asphalt cement and RAP at an elevated temperature to produce a homogeneous asphalt paving mixture. This process, and the associated emission source/control, is permitted to operate at either this site or the Peckham Vaughn Road Hudson Falls site. Plant may be powered via diesel engine-generator set or utility-supplied electric.

Emission Source/Control: 00003 - Control  
 Control Type: FABRIC FILTER

Emission Source/Control: PLNT2 - Process  
 Design Capacity: 325 tons per hour

**Item 43.4(From Mod 2):**

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

Emission Unit: 0-GN100

Process: GN1

Source Classification Code: 2-01-001-02

Process Description:

Caterpillar generator set Model No. 3512 (1250 kW) is powered by a CI internal combustion engine. This generator powers the HMA drum plant (ES PLNT2) and associated emission sources/control. The generator is permitted to operate at either this site or the Peckham Materials Plant 31 (Vaughn Rd site, Hudson Falls).

Emission Source/Control: 00004 - Combustion  
 Design Capacity: 1,250 kilowatts

**Item 43.5(From Mod 2):**

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

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Emission Unit: 0-ST100  
Process: ST1 Source Classification Code: 3-05-040-30  
Process Description:  
Non-NSPS stone crushing, washing, and screening sources.

Emission Source/Control: 00007 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00008 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00010 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00011 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00015 - Process  
Design Capacity: 150 tons per hour

Emission Source/Control: 00017 - Process  
Design Capacity: 80 square feet

Emission Source/Control: 00019 - Process  
Design Capacity: 120 square feet

Emission Source/Control: 00020 - Process  
Design Capacity: 24 inches

Emission Source/Control: 00021 - Process  
Design Capacity: 30 inches

**Item 43.6(From Mod 2):**

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

Emission Unit: 0-ST100  
Process: ST2 Source Classification Code: 3-05-040-30  
Process Description:  
This process identifies crushers, screens and conveyors subject to NSPS 40 CFR 60 Subpart OOO for equipment constructed after 8/31/1983 and before 4/22/2008.

Emission Source/Control: 00031 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00032 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00033 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00022 - Process

Permit ID: 5-5224-00010/00013

Facility DEC ID: 5522400010

Design Capacity: 500 tons per hour

Emission Source/Control: 00024 - Process  
Design Capacity: 80 square feet

Emission Source/Control: 00025 - Process  
Design Capacity: 120 square feet

Emission Source/Control: 00029 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00030 - Process  
Design Capacity: 42 inches

**Item 43.7(From Mod 2):**

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

Emission Unit: 0-ST100

Process: ST4

Source Classification Code: 3-05-002-98

Process Description:

Reclaimed Asphalt Pavement (RAP) crushing plant. All emission sources in this plant are NSPS affected sources, with the exception of the RAP Hammer Mill which was constructed in 1982.

Emission Source/Control: 00036 - Process  
Design Capacity: 150 tons per hour

Emission Source/Control: 00037 - Process  
Design Capacity: 30 inches

Emission Source/Control: 00038 - Process  
Design Capacity: 30 inches

Emission Source/Control: 00039 - Process  
Design Capacity: 24 inches

**Permit ID: 5-5224-00010/00013**

**Facility DEC ID: 5522400010**