

Facility DEC ID: 5532800199

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 5-5328-00199/00002
Effective Date:

Expiration Date:

Permit Issued To: JOINTA GALUSHA, L.L.C.
269 BALLARD RD
WILTON, NY 12831

Contact: David Santos
Jointa Lime Company
269 Ballard Rd
Wilton, NY 12831
(518) 664-9855

Facility: JOINTA GALUSHA, LLC - GOODSSELL QUARRY
W OF US RTE 4 & N OF GOODSSELL LANE
Fort Ann, NY 12827

Description:

The Jointa Galusha Goossell quarry is located in the Town of Fort Anne, Washington county, New York. The facility operation is an aggregate production facility that produces crushed stone for use in aggregate products. Power is supplied by two diesel gensets (CAT 3508 and CAT C27) rated at greater than 400 HP. Power is used to run four crushers, four screens and multiple conveyors.

The applicant proposes to track gallons of diesel fuel combusted by the generators. All fuel pumped into fuel tanks dedicated to the each generator shall be metered (typically by a mobile refueling truck, either company owned or vendor supplied) recorded, and subsequently used in calculations of the Facility's NOx emissions on a 12-month rolling basis. Capping NOx emissions shall effectively limit all other criteria pollutants to levels below major source thresholds. The cap shall limit the fuel burned and hours of operation of the crushers to such an extent that sulfur dioxide, carbon monoxide, volatile organic compounds and particulate matter less than 10 microns shall all be emitted at less than major source levels.

Based upon emission calculations performed for fuel oil usage, total Nitrogen Oxides emissions from both generators shall be bellow 95 tons per year by maintaining fuel oil usage below this limit. Facility wide emissions of Oxides of Nitrogen (NOx) shall not exceed 95 tons (190000 lbs) per year, NOx emissions shall be calculated by multiplying the gallons of fuel oil consumed by each generator by the AP-42 NOx emissions factor. Capping NOx emissions will

Facility DEC ID: 5532800199

effectively limit all other criteria pollutants to levels below major source thresholds.

Records shall be maintained on-site which demonstrate compliance with this cap. These records shall include the mass emissions of NO_x totaled over each month and the total mass emissions over each rolling 12 month period.

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: 5532800199

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: 5532800199

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: 5532800199

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

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

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

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3

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

Condition 4: Permit modifications, suspensions or revocations by the Department

Facility DEC ID: 5532800199

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: 5-5328-00199/00002

Facility DEC ID: 5532800199

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: JOINTA GALUSHA, L.L.C.
269 BALLARD RD
WILTON, NY 12831

Facility: JOINTA GALUSHA, LLC - GOODSELL QUARRY
W OF US RTE 4 & N OF GOODSELL LANE
Fort Ann, NY 12827

Authorized Activity By Standard Industrial Classification Code:
1423 - CRUSHED AND BROKEN GRANITE

Permit Effective Date:

Permit Expiration Date:

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

PAGE LOCATION OF CONDITIONS**PAGE****FEDERALLY ENFORCEABLE CONDITIONS****Facility Level**

6	1	6 NYCRR 201-7.1: Facility Permissible Emissions
6	*2	6 NYCRR 201-7.1: Capping Monitoring Condition
8	3	6 NYCRR 211.2: Visible Emissions Limited
8	4	6 NYCRR 225-1.2 (d): Compliance Demonstration
9	5	6 NYCRR 227-1.3 (a): Compliance Demonstration
9	6	6 NYCRR 227-1.3 (c): Compliance Demonstration
10	7	6 NYCRR 227-1.4 (a): Compliance Demonstration
10	8	40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
11	9	40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
11	10	40CFR 60.8(a), NSPS Subpart A: Compliance Demonstration
12	11	40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
12	12	40CFR 60, NSPS Subpart IIII: Applicability
12	13	40CFR 60.4211(c), NSPS Subpart IIII: Compliance Demonstration
13	14	40CFR 60.670(f), NSPS Subpart OOO: Applicability of subpart A
13	15	40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
15	16	40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
16	17	40CFR 60.675(c)(1), NSPS Subpart OOO: Opacity Procedures - Method 9 with Following Additions
17	18	40CFR 60.675(c)(3), NSPS Subpart OOO: Method 9 Opacity Observation
Time		
17	19	40CFR 60.675(e), NSPS Subpart OOO: Compliance Demonstration
19	20	40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
21	21	40CFR 63, Subpart ZZZZ: Applicability
21	22	40CFR 63, Subpart ZZZZ: Engines at Area sources of HAP
		Emission Unit Level
21	23	40CFR 60.674(b), NSPS Subpart OOO: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS**Facility Level**

24	24	ECL 19-0301: Contaminant List
24	25	6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
25	26	6 NYCRR Subpart 201-5: Emission Unit Definition
26	27	6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
26	28	6 NYCRR 201-5.3 (c): Compliance Demonstration
26	29	6 NYCRR 211.1: Air pollution prohibited
27	30	6 NYCRR 211.1: Compliance Demonstration
27	31	6 NYCRR 212-2.2: Compliance Demonstration
		Emission Unit Level
28	32	6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
28	33	6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

FEDERALLY ENFORCEABLE CONDITIONS

Renewal 1/DRAFT

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

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 Activities - 6 NYCRR 201-3.3 (a)

The owner and/or operator of an emission source or unit

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: Required Emission Tests - 6 NYCRR 202-1.1

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item K: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item L: Federally Enforceable Requirements - 40 CFR 70.6 (b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

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 for entire length of Permit****Applicable Federal Requirement: 6 NYCRR 201-7.1****Item 1.1:**

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

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

CAS No: 0NY210-00-0

PTE: 190,000 pounds per year

Name: OXIDES OF NITROGEN

**Condition 2: Capping Monitoring Condition
Effective for entire length of Permit****Applicable Federal Requirement: 6 NYCRR 201-7.1****Item 2.1:**

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

6 NYCRR Subpart 201-6

6 NYCRR Subpart 231-2

Item 2.2:

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

Item 2.3:

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

Item 2.4:

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

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

Item 2.5:

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

Item 2.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility wide emissions of Oxides of Nitrogen (NO_x) shall not exceed 95 tons (190000 lbs) during any consecutive 12-month period, rolled monthly. NO_x emissions shall be calculated by multiplying the gallons of fuel oil consumed by each generator by the AP-42 NO_x emissions factor.

All fuel pumped into fuel tanks dedicated to the each generator is metered (typically by a mobile refueling truck, either company owned or vendor supplied) recorded, and subsequently used in calculations of the Facility's NO_x emissions on a 12-month rolling basis. Capping NO_x emissions shall effectively limit all other criteria pollutants to levels below major source thresholds. The cap shall limit the fuel burned and hours of operation of the crushers to such an extent that sulfur dioxide, carbon monoxide, volatile organic compounds and particulate matter less than 10 microns shall all be emitted at less than major source levels. Facility wide, non-exempt emissions of nitrogen oxides (NO_x) shall not exceed 95 tons per year. Records shall be maintained on-site which demonstrate compliance with this cap. These records shall include the mass emissions of NO_x totaled over each month and the total mass emissions over each rolling 12 month period.

The permittee must submit an annual capping certification report of monthly and 12 month rolling NO_x emission to

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

document compliance with the permitted limit of 95 tons (190000 lbs) per year.

The NO_x emissions from the exempt sources shall be tracked monthly, an inventory of annual emission estimates shall be included in the monthly and 12 months rolling total NO_x emission calculations as per 201-3.1(d).

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 190000 pounds per year
Monitoring Frequency: MONTHLY
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

Condition 3: Visible Emissions Limited
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 211.2

Item 3.1:

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 4: Compliance Demonstration
Effective for entire length of Permit

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

Item 4.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Process Material: DIESEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 5: Compliance Demonstration
Effective for entire length of Permit

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

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator of a stationary combustion installation (excluding combustion turbines) or a group of stationary combustion installations firing oil or oil in combination with other liquid or gaseous fuels with a total maximum heat input capacity of at least 50 million Btus per hour is required to meet the 0.1 lbs/mmBtu particulate matter standard. Compliance with this standard will be met by keeping vendor certified fuel receipts which contain the sulfur content of the oil being fired as required in Subpart 225-1 of this Title.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 6: Compliance Demonstration
Effective for entire length of Permit

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

Item 6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation must perform an annual tune-up on each emission source subject to 6 NYCRR Subpart 227-1. Records of the tune-up shall be maintained at the facility or at a Department approved alternative location for a minimum of

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

five years. The records shall, at a minimum, include the date the tune-up(s) occurred and the details of the tune-up procedures for each emission source.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 7: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 227-1.4 (a)

Item 7.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 7.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a stationary combustion installation, at an Air State facility subject to this Subpart which is permitted to fire a combination of natural gas, oil, and/or solid fuels, shall operate an emission source which exhibits greater than 20 percent opacity (based on a six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The owner or operator shall conduct a Method 9 test annually. A report of the results of the test will be submitted to the Department within 30 days of the completion of the Method 9 test. All records generated by the permittee must be maintained at the facility or at an alternative location approved by the Department for a minimum of five years.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60, Appendix A, Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 8: Date of construction notification - If a COM is not used.
Effective for entire length of Permit**

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

Item 8.1:

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

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

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

Condition 9: Recordkeeping requirements.
Effective for entire length of Permit

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

Item 9.1:

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

Condition 10: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.8(a), NSPS Subpart A

Item 10.1:

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

Emission Unit: 1-GOODS
 Process: P01

Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Initial opacity readings for each affected facility must be conducted within 60 days of achieving maximum production rate, but not less than 180 days after initial

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

startup, and a written report of the results provided to the Administrator.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 11: Compliance with Standards and Maintenance Requirements Effective for entire length of Permit

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

Item 11.1:

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

Condition 12: Applicability Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60, NSPS Subpart IIII

Item 12.1:

Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII.

Condition 13: Compliance Demonstration Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.4211(c), NSPS Subpart IIII

Item 13.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Owners or operators of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), must comply by purchasing an engine certified to the emission

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power.

The engine must be installed and configured according to the manufacturer's specifications.

The manufacturer's certification of compliance with the emission standards specified in 40 CFR 60 Subpart IIII for major pollutants will be sent to the Department prior to commencement of operation of the engines.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 14: Applicability of subpart A
Effective for entire length of Permit

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

Item 14.1:

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 15: Compliance Demonstration
Effective for entire length of Permit

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

Item 15.1:

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

Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR1
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR2
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR3
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR4
Regulated Contaminant(s): CAS No: 0NY075-00-0 PARTICULATES	

Item 15.2:

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from crushers subject to the requirements of Table 3 to Subpart OOO at which a capture system is not used that commenced construction, modification or reconstruction after April 22, 2008 shall be limited to 12 percent opacity. In determining compliance with this opacity limit, Method 9 of Appendix A-4 to 40 CFR Part 60 and the procedures of 40 CFR 60.11 shall be used to determine opacity, with the additions specified in 40 CFR 60.675(c). The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.

The facility owner or operator shall conduct a visible emissions observation of all sources applicable to this condition once per day while the process is in operation. In any instance where observation indicates that the opacity limit may have been exceeded, the operator shall identify the cause and correct the issue in a timely manner.

Where visible emissions persist after corrective actions have been attempted, the operator shall conduct a Method 9 observation of the source and notify DEC if the opacity standard is not met. The Method 9 assessment should be conducted within 24 hours of the original observation of visible emissions.

The facility owner or operator must conduct a Method 9 observation of sources without either water sprays or water carryover from upstream water sprays a minimum of once every 5 years.

Daily records of the visible emissions observations and any Method 9 observations, investigations, and corrective actions are to be maintained on site for a period of at least 5 years from the date of 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.

Parameter Monitored: OPACITY

Upper Permit Limit: 12 percent

Reference Test Method: EPA Method 9 per 40 CFR 60.675(c)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 16: Compliance Demonstration
Effective for entire length of Permit**Applicable Federal Requirement: 40CFR 60.672(b), NSPS Subpart OOO****Item 16.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-GOODS

Process: P01

Emission Source: 00SC1

Emission Unit: 1-GOODS

Process: P01

Emission Source: 00SC2

Emission Unit: 1-GOODS

Process: P01

Emission Source: 00SC3

Emission Unit: 1-GOODS

Process: P01

Emission Source: 00SC4

Emission Unit: 1-GOODS

Process: P01

Emission Source: 0BIN1

Emission Unit: 1-GOODS

Process: P01

Emission Source: CON01

Emission Unit: 1-GOODS

Process: P01

Emission Source: CON02

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 16.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from sources subject to the requirements of Table 3 to Subpart OOO that commenced construction, modification or reconstruction after April 22, 2008 shall be limited to 7 percent opacity. In determining compliance with this opacity limit, Method 9 of Appendix A-4 to 40 CFR Part 60 and the procedures of 40 CFR 60.11 shall be used to determine opacity, with the additions specified in 40 CFR 60.675(c). The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

The facility owner or operator shall conduct a visible emissions observation of all sources applicable to this condition once per day while the process is in operation. In any instance where observation indicates that the opacity limit may have been exceeded, the operator shall identify the cause and correct the issue in a timely manner.

Where visible emissions persist after corrective actions have been attempted, the operator shall conduct a Method 9 observation of the source and notify DEC if the opacity standard is not met. The Method 9 assessment should be conducted within 24 hours of the original observation of visible emissions.

The facility owner or operator must conduct a Method 9 observation of sources without either water sprays or water carryover from upstream water sprays a minimum of once every 5 years.

Daily records of the visible emissions observations and any Method 9 observations, investigations, and corrective actions are to be maintained on site for a period of at least 5 years from the date of 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.

Parameter Monitored: OPACITY

Upper Permit Limit: 7 percent

Reference Test Method: EPA Method 9 per 40 CFR 60.675(c)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 17: Opacity Procedures - Method 9 with Following Additions
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.675(c)(1), NSPS Subpart OOO

Item 17.1:

In determining compliance with the particulate matter standards in 40 CFR 60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in 40CFR 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

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.

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

Condition 18: Method 9 Opacity Observation Time
Effective for entire length of Permit

Applicable Federal Requirement: 40 CFR 60.675(c)(3), NSPS Subpart OOO

Item 18.1:

When determining compliance with the fugitive emissions standard for any affected facility described under 40 CFR Part 60.672(b) or 60.672(e)(1), 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 40 CFR Part 60 Subpart OOO must be based on the average of the five 6-minute averages.

Condition 19: Compliance Demonstration
Effective for entire length of Permit

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

Item 19.1:

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

Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR1
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR2
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR3
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR4
Emission Unit: 1-GOODS Process: P01	Emission Source: 00SC1
Emission Unit: 1-GOODS Process: P01	Emission Source: 00SC2
Emission Unit: 1-GOODS Process: P01	Emission Source: 00SC3

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Emission Unit: 1-GOODS
Process: P01

Emission Source: 00SC4

Emission Unit: 1-GOODS
Process: P01

Emission Source: CON01

Emission Unit: 1-GOODS
Process: P01

Emission Source: CON02

Item 19.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Opacity evaluations of affected facilities must be performed 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. Opacity readings may use alternative methods and procedures given in paragraph (e) of this section.

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

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

(i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.

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

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

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

(ii) All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

the proper sun position can be maintained for all three points.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 20: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

Item 20.1:

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

Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR1
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR2
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR3
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR4
Emission Unit: 1-GOODS Process: P01	Emission Source: 00SC1
Emission Unit: 1-GOODS Process: P01	Emission Source: 00SC2
Emission Unit: 1-GOODS Process: P01	Emission Source: 00SC3
Emission Unit: 1-GOODS Process: P01	Emission Source: 00SC4
Emission Unit: 1-GOODS Process: P01	Emission Source: 0BIN1
Emission Unit: 1-GOODS Process: P01	Emission Source: CON01
Emission Unit: 1-GOODS Process: P01	Emission Source: CON02

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Item 20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in § 60.672 of this subpart, including reports of opacity observations made using Method 9 (40 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 21: Applicability

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Effective for entire length of Permit

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 21.1:

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

Condition 22: Engines at Area sources of HAP
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 22.1:

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

**** Emission Unit Level ****

Condition 23: Compliance Demonstration
Effective for entire length of Permit

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

Item 23.1:

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

Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR1
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR2
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR3
Emission Unit: 1-GOODS Process: P01	Emission Source: 00CR4
Emission Unit: 1-GOODS Process: P01	Emission Source: 00SC1
Emission Unit: 1-GOODS Process: P01	Emission Source: 00SC2
Emission Unit: 1-GOODS	

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Process: P01 Emission Source: 00SC3

Emission Unit: 1-GOODS
Process: P01 Emission Source: 00SC4

Emission Unit: 1-GOODS
Process: P01 Emission Source: 0BIN1

Emission Unit: 1-GOODS
Process: P01 Emission Source: CON01

Emission Unit: 1-GOODS
Process: P01 Emission Source: CON02

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

Item 23.2:

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 expediently 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).

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: MONTHLY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

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 with 6 NYCRR Part 616 - Public Access to Records.

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

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 24: Contaminant List
Effective for entire length of Permit

Applicable State Requirement: ECL 19-0301

Item 24.1:

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

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

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

Condition 25: Malfunctions and Start-up/Shutdown Activities
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 201-1.4

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Item 25.1:

(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 26: Emission Unit Definition
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 26.1:

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

Emission Unit: 1-GOODS

Emission Unit Description:

This emission unit consists of 4 crushers, 4 screens and multiple conveyors. Two gensets are used to supply power to the stone crushing facility.

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

**Condition 27: Renewal deadlines for state facility permits
Effective for entire length of Permit**

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

Item 27.1:

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 28: Compliance Demonstration
Effective for entire length of Permit**

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

Item 28.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 5
232 Golf Course Rd.
Warrensburg, NY 12885

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 29: Air pollution prohibited
Effective for entire length of Permit**

Applicable State Requirement: 6 NYCRR 211.1

Item 29.1:

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.

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Condition 30: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 211.1

Item 30.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 30.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Roadways and stockpiles must be watered and/or treated with an approved dust suppressant and the speed of vehicles limited as appropriate to minimize emission of dust.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 31: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 212-2.2

Item 31.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 31.2:

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, 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 an individual HTAC. If the limit is exceeded the facility owner or operator must demonstrate compliance with the air cleaning requirements for the HTAC(s) as specified in subdivision 212-2.3(b), table 4 – degree of air cleaning required for non-criteria air contaminants.

The facility owner or operator shall have a Department approved monitoring plan and monitor the emissions of the HTAC(s) and report to the Department annually to prove compliance with the limit(s).

Monitoring Frequency: ANNUALLY

Averaging Method: ANNUAL TOTAL

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

****** Emission Unit Level ********Condition 32: Emission Point Definition By Emission Unit
Effective for entire length of Permit****Applicable State Requirement: 6 NYCRR Subpart 201-5****Item 32.1:**

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

Emission Unit: 1-GOODS

Emission Point: GEN01

Height (ft.): 15 Diameter (in.): 8
NYTMN (km.): 4813.236 NYTME (km.): 624.998

Emission Point: GEN02

Height (ft.): 15 Diameter (in.): 8
NYTMN (km.): 4813.236 NYTME (km.): 624.998

**Condition 33: Process Definition By Emission Unit
Effective for entire length of Permit****Applicable State Requirement: 6 NYCRR Subpart 201-5****Item 33.1:**

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

Emission Unit: 1-GOODS

Process: P01

Source Classification Code: 3-05-020-01

Process Description:

Shot rock is loaded into the primary crusher where it is reduced to a minus 4 inch size. It is then conveyed to a triple deck screen where it is sized and conveyed to stockpiles, recirculated back to the secondary crusher and screens or is sent to tertiary crushers. Rock sent to tertiary crushers is then crushed and sent back through the circuit of screens. Dust is suppressed by water sprays.

Emission Source/Control: 00CR1 - Process

Emission Source/Control: 00CR2 - Process

Emission Source/Control: 00CR3 - Process

Emission Source/Control: 00CR4 - Process

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199

Emission Source/Control: 00SC1 - Process

Emission Source/Control: 00SC2 - Process

Emission Source/Control: 00SC3 - Process

Emission Source/Control: 00SC4 - Process

Emission Source/Control: 0BIN1 - Process

Emission Source/Control: CON01 - Process

Emission Source/Control: CON02 - Process

Item 33.2:

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

Emission Unit: 1-GOODS

Process: P02

Source Classification Code: 2-02-001-02

Process Description:

Two diesel gensets are used to supply power to the stone
crushers, screens and conveyors.

Emission Source/Control: 000G1 - Combustion

Design Capacity: 1,502 horsepower (electric)

Emission Source/Control: 000G2 - Combustion

Design Capacity: 1,214 horsepower (electric)

Permit ID: 5-5328-00199/00002

Facility DEC ID: 5532800199