



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 5-5338-00009/00003  
Effective Date: 07/05/2018 Expiration Date: 07/04/2028

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

Contact: PETER B FITZGERALD  
JOINTA LIME COMPANY  
269 BALLARD RD  
WILTON, NY 12831  
(518) 664-9855

Facility: HARTFORD QUARRY  
ST RTE 149 - N SIDE - E OF KINGSBURY TOWNLINE  
HARTFORD, NY 12838

Description:  
Fixed and portable stone and aggregate processing plants crush and screen material mined on the site.

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: KEVIN R BLISS  
NYSDEC - WARRENSBURG SUBOFFICE  
232 GOLF COURSE RD  
WARRENSBURG, NY 12885-1172

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



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

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

**Facility Level**

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



**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**  
**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

**New York State Department of Environmental Conservation**

Permit ID: 5-5338-00009/00003

Facility DEC ID: 5533800009



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

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

**IDENTIFICATION INFORMATION**

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

Facility: HARTFORD QUARRY  
ST RTE 149 - N SIDE - E OF KINGSBURY TOWNLINE  
HARTFORD, NY 12838

Authorized Activity By Standard Industrial Classification Code:  
1422 - CRUSHED AND BROKEN LIMESTONE  
1429 - CRUSHED AND BROKEN STONE NEC

Permit Effective Date: 07/05/2018

Permit Expiration Date: 07/04/2028



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 201-7.1: Facility Permissible Emissions
- \*2 6 NYCRR 201-7.1: Capping Monitoring Condition
- 3 6 NYCRR 211.1: Air pollution prohibited
- 4 6 NYCRR 227-1.3 (a): Compliance Demonstration
- 5 40CFR 60.8(a), NSPS Subpart A: Compliance Demonstration
- 6 40CFR 60, NSPS Subpart IIII: Applicability
- 7 40CFR 60.670(d)(1), NSPS Subpart OOO: Exemption for equipment replacement when equipment does not increase emissions
- 8 40CFR 60.672, NSPS Subpart OOO: Compliance Demonstration
- 9 40CFR 60.672, NSPS Subpart OOO: Compliance Demonstration
- 10 40CFR 63, Subpart ZZZZ: Applicability

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 11 ECL 19-0301: Contaminant List
- 12 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 13 6 NYCRR Subpart 201-5: Emission Unit Definition
- 14 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 15 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 16 6 NYCRR 211.1: Compliance Demonstration
- 17 6 NYCRR 211.2: Visible Emissions Limited
- 18 6 NYCRR 225-1.2 (h): Compliance Demonstration

#### Emission Unit Level

- 19 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 20 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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





required to operate such device effectively.

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

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

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

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

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

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

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

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

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



**Activities - 6 NYCRR 201-3.3 (a)**

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

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

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

**Item J: Open Fires Prohibitions - 6 NYCRR 215.2**

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

**Item K: Permit Exclusion - ECL 19-0305**

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

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



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 07/05/2018 and 07/04/2028**

**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: 198,000 pounds per year

Name: OXIDES OF NITROGEN

**Condition 2: Capping Monitoring Condition**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

**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 201-6.1 (a)

**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

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other state and federal air pollution control requirements, regulations or law.

**Item 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 2.5:**

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, non-exempt emissions of nitrogen oxides (NOx) will not exceed 98 tons per year. Records shall be maintained on-site which demonstrate compliance with this cap. These records shall include the mass emissions of NOx totaled over each month and the total mass emissions over each rolling 12 month period. NOx emissions will be calculated by multiplying the gallons of fuel used in each generator by the NOx emission factor for that generator operating at its maximum rate.

Exempt nitrogen emissions from office space heaters and ancillary sources are less than 2 tons per year. Exempt emissions will not be tracked monthly, but an inventory of exempt sources and the associated annual emissions estimates will be maintained on site and provided to the Department upon request.

The cap will 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 will all be emitted at less than major source levels.

Parameter Monitored: OXIDES OF NITROGEN



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Upper Permit Limit: 98 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 1/30/2019.  
Subsequent reports are due every 12 calendar month(s).

**Condition 3: Air pollution prohibited**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 3.1:**

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 4: Compliance Demonstration**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 4.1:**

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

Emission Unit: U-AG001	
Process: G01	Emission Source: GEN07
Emission Unit: U-AG001	
Process: G02	Emission Source: GEN05
Emission Unit: U-AG001	
Process: G06	Emission Source: GEN06
Emission Unit: U-AG002	
Process: G03	Emission Source: GEN03

**Item 4.2:**

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 combustion installation shall emit greater than 20 percent opacity except for one six



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minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60. The Department reserves the right to perform or require the performance of a method 9 opacity evaluation at its discretion.

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 5: Compliance Demonstration**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 5.1:**

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

Emission Unit: U-AG001  
Process: FC1

Emission Unit: U-AG002  
Process: PC1

**Item 5.2:**

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 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 6: Applicability**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 6.1:**

Facilities that have stationary compression ignition internal combustion engines must comply

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with applicable portions of 40 CFR 60 Subpart III.

**Condition 7: Exemption for equipment replacement when equipment does not increase emissions**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**OOO**

**Item 7.1:**

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 8: Compliance Demonstration**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 8.1:**

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

Emission Unit: U-AG001 Process: FC1	Emission Source: CR002
Emission Unit: U-AG001 Process: FC1	Emission Source: CR007
Emission Unit: U-AG001 Process: FC1	Emission Source: CR008
Emission Unit: U-AG001 Process: FC1	Emission Source: CR009
Emission Unit: U-AG002 Process: PC1	Emission Source: CR005

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On or after the sixtieth day after achieving maximum production rate but not later than 180 days after initial startup, no owner or operator shall cause to be discharged

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into the atmosphere from any crusher fugitive emissions which exhibit greater than 15 percent opacity. The Department reserves the right to perform or require the performance of a method 9 opacity evaluation at its discretion.

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
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 9: Compliance Demonstration
Effective between the dates of 07/05/2018 and 07/04/2028

Applicable Federal Requirement:40CFR 60.672, NSPS Subpart OOO

Item 9.1:

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

- Emission Unit: U-AG001
Process: FC1 Emission Source: CNV01
Emission Unit: U-AG001
Process: FC1 Emission Source: SCR01
Emission Unit: U-AG001
Process: FC1 Emission Source: SCR02
Emission Unit: U-AG001
Process: FC1 Emission Source: SCR03
Emission Unit: U-AG001
Process: FC1 Emission Source: SCR04
Emission Unit: U-AG002
Process: PC1 Emission Source: CNV02
Emission Unit: U-AG002
Process: PC1 Emission Source: SCR05

Item 9.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On or after the sixtieth day after achieving maximum production rate but not later than 180 days after initial



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startup, no owner or operator shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility (except for crushers) in this emission unit any fugitive emissions which exhibit greater than 10 percent opacity. Truck dumping of nonmetallic minerals into any screening operation, feed hopper or crusher is exempt from the opacity limitation. The Department reserves the right to perform or require the performance of a method 9 opacity evaluation at its discretion.

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

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 10: Applicability**

**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 10.1:**

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



**STATE ONLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

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

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

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

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

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

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

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

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

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

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

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

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



Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

**Item C: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 11: Contaminant List**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 11.1:**  
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

**Condition 12: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 12.1:**



(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

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

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

**Condition 13: Emission Unit Definition**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 13.1:**

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

Emission Unit: U-AG001

Emission Unit Description:

This emission unit consists of a fixed aggregate processing plant with new crushers, screens and conveyors, producing several grades of crushed stone products, operating at a nominal throughput rate of 400 tons per hour. The equipment is powered by three diesel engines in excess of 400 HP and one exempt diesel engine. The fixed aggregate plant emission unit has been broken down by



co-located equipment to establish fugitive emissions points. Crushers and screens operating in a tower configuration are taken together as a discreet process with emissions through a single fugitive emission point. All conveyors have been grouped together as an emission point. Defining emission points in this manner results in a logical grouping of equipment which facilitates calculation of emissions and inspection of the facility. The emission points are defined as follows (refer to plant flowsheet in attachments): EP10001 - primary crusher (CR007); EP10002 - generator 1 (GEN07); EP10003 - generator 2 (GEN05); EP10004- generator 3 (GEN06); EP100005 - secondary crusher (CR002); EP100006 - screen tower 1 (two screens in parallel (SCR01 and SCR02); EP10007 tertiary crushers (CR008 and CR009); EP10008 - screen tower 2 (two screens in parallel SCR03 and SCR04). The emissions from the unit consist of fugitive particulate matter from crushers, screens and conveyors, and combustion products from three generators. A water spray system is used to control dust emissions at drop points where the movement of fine material makes control necessary. This includes crusher discharge drops and drops onto some of the screens, conveyors and stockpiles. The water spray system is supplied and operated from a central control panel. Although spray heads are not provided at every drop point, all equipment and drop points are assumed to be controlled by the water spray equipment because the moisture content achieved at control points is effectively carried through subsequent processes. The largest component of emissions from the aggregate plant is NO<sub>x</sub> from the generators. In conjunction w/ operation of the portable plant, operation of the fixed aggregate plant will be limited to maintain emissions below the proposed NO<sub>x</sub> limits.

**Item 13.2:**

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

Emission Unit: U-AG002

Emission Unit Description:

This emission unit is a portable aggregate processing plant that consists of a primary crusher and screen set powered by an onboard generator. The plant throughput is approximately 160 tons per hour. The emission points are defined as follows: EP20001 - primary crusher (CR005), EP0002 - generator 1 (Cummins D09 or equiv -GEN03), EP20003 - screen set (SCR05), EP20004 - conveyors (CVN02). The equipment may be operated in a number of different configurations, allowing certain pieces, or all of the equipment, to be operated at other permitted facilities as needed. The emissions from the unit consist of fugitive particulate matter from the crusher, screen and conveyors, and combustion products from the



generators. The largest component of emissions from the portable aggregate plant is NO<sub>x</sub> from the generator. In conjunction with operation of the fixed plant, operation of the portable plant will be limited to maintain emissions below the proposed NO<sub>x</sub> limits. The portable plant is subject to NSPS, however it consists of existing equipment that is currently permitted for operation at other sites. As such, pre-construction notification and performance testing are not required unless there is a substantial modification of the plant. The portable plant equipment must comply with Subpart OOO opacity limits. This equipment is being permitted as a portable plant and is defined as a separate emission unit because it may be operated at other facilities, and to allow the actual emissions to be tracked separately from the fixed aggregate plant. In this way, the overall facility emission calculations will be accurate whether or not the portable plant is operating at this facility. Jointa Galusha will keep track of and notify the agency of changes in configuration so that emissions can be calculated for the equipment actually in use at the facility during a given period of time.

**Condition 14: Renewal deadlines for state facility permits**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 14.1:**

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 15: Compliance Demonstration**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 15.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 15.2:**

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

New York State Department of Environmental Conservation

Permit ID: 5-5338-00009/00003

Facility DEC ID: 5533800009



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

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2019.  
Subsequent reports are due every 12 calendar month(s).

**Condition 16: Compliance Demonstration**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 16.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 16.2:**

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 17: Visible Emissions Limited**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 17.1:**

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 18: Compliance Demonstration**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

**Applicable State Requirement:6 NYCRR 225-1.2 (h)**

**Item 18.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 18.2:**

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Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 15 parts per million by weight

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 19: Emission Point Definition By Emission Unit  
Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 19.1:**

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

Emission Unit: U-AG001

Emission Point: 10001

Height (ft.): 15 Length (in.): 52 Width (in.): 32  
NYTMN (km.): 4803.77 NYTME (km.): 623.153

Emission Point: 10002

Height (ft.): 15 Diameter (in.): 4  
NYTMN (km.): 4803.77 NYTME (km.): 623.173

Emission Point: 10003

Height (ft.): 15 Diameter (in.): 8  
NYTMN (km.): 4803.558 NYTME (km.): 623.327

Emission Point: 10004

Height (ft.): 15 Diameter (in.): 8  
NYTMN (km.): 4803.558 NYTME (km.): 623.327

Emission Point: 10005





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Height (ft.): 10	Length (in.): 76	Width (in.): 76
NYTMN (km.): 4803.604	NYTME (km.): 623.351	
Emission Point: 10006		
Height (ft.): 20	Length (in.): 240	Width (in.): 96
NYTMN (km.): 4803.583	NYTME (km.): 623.333	
Emission Point: 10007		
Height (ft.): 10	Length (in.): 66	Width (in.): 66
NYTMN (km.): 4803.566	NYTME (km.): 623.335	
Emission Point: 10008		
Height (ft.): 20	Length (in.): 96	Width (in.): 240
NYTMN (km.): 4803.567	NYTME (km.): 623.336	
Emission Point: 10009		
Height (ft.): 10	Length (in.): 240	Width (in.): 36
NYTMN (km.): 4803.568	NYTME (km.): 623.337	

**Item 19.2:**

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

Emission Unit: U-AG002		
Emission Point: 20001		
Height (ft.): 10	Length (in.): 48	Width (in.): 34
NYTMN (km.): 4802.849	NYTME (km.): 623.579	
Emission Point: 20002		
Height (ft.): 15	Diameter (in.): 4	
NYTMN (km.): 4802.841	NYTME (km.): 623.587	
Emission Point: 20003		
Height (ft.): 20	Length (in.): 192	Width (in.): 60
NYTMN (km.): 4802.841	NYTME (km.): 623.587	
Emission Point: 20004		
Height (ft.): 10	Length (in.): 240	Width (in.): 42
NYTMN (km.): 4802.837	NYTME (km.): 623.587	

**Condition 20: Process Definition By Emission Unit**  
**Effective between the dates of 07/05/2018 and 07/04/2028**

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

**Item 20.1:**

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

Emission Unit: U-AG001	
Process: FC1	Source Classification Code: 3-05-020-01
Process Description:	
Production of stone aggregate products by operation of	

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the fixed crushing plant, resulting in fugitive particulate emissions from emission points 10001 (primary crusher CR007), 10005 (secondary crusher CR002), 10006 (scalping screens SCR01 and SCR02), 10007 (tertiary crushers CR008 and CR009), 10008 (secondary screens SCR03 and SCR04) and 10009 (conveyors CNV1). Particulate emissions are controlled with a water spray system (WSPRY).

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

Emission Source/Control: CNV01 - Process

Emission Source/Control: CR002 - Process

Emission Source/Control: CR007 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: CR008 - Process

Emission Source/Control: CR009 - Process

Emission Source/Control: SCR01 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: SCR02 - Process

Emission Source/Control: SCR03 - Process

Emission Source/Control: SCR04 - Process

**Item 20.2:**

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

Emission Unit: U-AG001  
Process: G01 Source Classification Code: 2-02-004-01  
Process Description:

Operation of a generator to power the primary crusher. Emissions from the generator are through emission point 10002. The generator consumes approximately 28 gallons of diesel per hour of operation. Emission factors are based on manufacturer's published values and/or AP42 emission factors for stationary combustion units.

Emission Source/Control: GEN07 - Combustion

**Item 20.3:**

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

Emission Unit: U-AG001  
Process: G02 Source Classification Code: 2-02-004-01

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Facility DEC ID: 5533800009



Process Description:

Operation of a generator to power the secondary and tertiary screening and crushing equipment. Emissions from the generator are through emission point 10003. The generator consumes approximately 66 gal of diesel fuel per hour of operation. Emission factors are based on manufacturer's published values and/or AP-42 emission factors for stationary combustion units.

Emission Source/Control: GEN05 - Combustion

**Item 20.4:**

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

Emission Unit: U-AG001

Process: G06

Source Classification Code: 2-02-004-01

Process Description:

Operation of a generator to power the screening equipment and secondary and tertiary crushing equipment. Emissions from the generator are through emission point 10004. The generator consumes approximately 62 gallons of diesel fuel per hour. Emission factors are based on manufacturer's published values and/or AP-42 emission factors for stationary combustion units.

Emission Source/Control: GEN06 - Combustion

**Item 20.5:**

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

Emission Unit: U-AG002

Process: G03

Source Classification Code: 2-02-004-01

Process Description:

Operation of a diesel generator to power the secondary and tertiary crushing and screening equipment. Emissions are through emission point 10004. The generator consumes approximately 62 gallons of fuel per hour. Emission factors are based on manufacturer's published values or AP-42 emissions factors for individual engines.

Emission Source/Control: GEN03 - Combustion

**Item 20.6:**

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

Emission Unit: U-AG002

Process: PC1

Source Classification Code: 3-05-020-03

Process Description:

Operation of the portable aggregate processing plant that consists of a primary crusher and screen set powered by an onboard generator. The process throughput is approximately 160 tph. The process results in emissions of particulate

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through emission points 20001 (primary crusher CR005),  
20003 (screen set SCR05 and 20004 (conveyors CVN02),  
Emissions are controlled with a water spray system  
(WSPR2).

Emission Source/Control: WSPR2 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: CNV02 - Process

Emission Source/Control: CR005 - Process

Emission Source/Control: SCR05 - Process  
Design Capacity: 240 tons per hour

