

Facility DEC ID: 6223200001

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 6-2232-00001/00003
Mod 0 Effective Date: 04/01/2017 Expiration Date: 03/31/2027
Mod 1 Effective Date: 05/06/2024 Expiration Date: 03/31/2027

Permit Issued To: HEIDELBERG MATERIALS NORTHEAST-NY LLC
4800 JAMESVILLE RD
PO BOX 513
JAMESVILLE, NY 13078-0513

Contact: CHRISTOPHER R TORELL
HEIDELBERG MATERIALS NORTHEAST-NY LLC
4800 JAMESVILLE RD PO BOX 513
JAMESVILLE, NY 13078
(315) 469-5501

Facility: Clayton - Pelo Road Mine
PELO RD
CLAYTON, NY 13624

Description:
This permit is being transferred.

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: JESSICA J HART
NYSDEC - REGION 6
317 WASHINGTON ST
WATERTOWN, NY 13601

Authorized Signature: _____ Date: ___ / ___ / ___

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Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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Facility Level

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

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

Item 1-1.1:

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 1-1.2:

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 1-1.3:

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 1-2: Relationship of this Permit to Other Department Orders and Determinations

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

Item 1-2.1:

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 1-3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 1-3.1:

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 1-3.2:

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

Item 1-3.3

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

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Condition 1-4: Permit modifications, suspensions or revocations by the
Department

Applicable State Requirement: 6 NYCRR 621.13

Item 1-4.1:

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 6
SUBOFFICE - UTICA**

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 6 Sub-office
Division of Environmental Permits
State Office Building, 207 Genesee Street
Utica, NY 13501-2885
(315) 793-2555

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

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4800 JAMESVILLE RD
PO BOX 513
JAMESVILLE, NY 13078-0513

Facility: Clayton - Pelo Road Mine
PELO RD
CLAYTON, NY 13624

Authorized Activity By Standard Industrial Classification Code:
1442 - CONSTRUCTION SAND AND GRAVEL

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NOTE: * preceding the condition number indicates capping.

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 1/Mod 1/FINAL

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

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required to operate such device effectively.

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

(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

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Activities - 6 NYCRR 201-3.3 (a)

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

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

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

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

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

Item K: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: Non Applicable requirements
Effective between the dates of 04/01/2017 and 03/31/2027

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

Item 1.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

40 CFR Part 63, Subpart ZZZZ
 Reason: The RICE rule does not apply to Source ENGN5 (Caterpillar C9, 230HP, MY 2009). ENGN5 is self-propelled because it is mounted on bulldozer tracks. The unit is a Terex jaw crusher, screener, conveyor.

Condition 2: Facility Permissible Emissions
Effective between the dates of 04/01/2017 and 03/31/2027

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2.1:

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

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

per year	CAS No: 0NY075-00-5 (From Mod 1) Name: PM-10	PTE: 160,000 pounds
per year	CAS No: 0NY210-00-0 (From Mod 1) Name: OXIDES OF NITROGEN	PTE: 160,000 pounds

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Condition 3: Capping Monitoring Condition
Effective between the dates of 04/01/2017 and 03/31/2027

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3.1:

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

6 NYCRR 201-6.1 (a)

Item 3.2:

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

Item 3.3:

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

Item 3.4:

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

Item 3.5:

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

Item 3.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

CAP:

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Facility owner shall ensure that the facility-wide emissions of oxides of nitrogen (NO_x), including those from permitted, exempt, and trivial sources, remain less than 160,000 pounds during any consecutive 365 day period.

RECORDS:

Facility owner shall maintain records that verify the facility's monthly NO_x emissions. These records shall be maintained at the facility for a minimum five year period.

REPORTS:

Reports shall be submitted annually, in a format acceptable to the Department, which document that the facility's NO_x emissions during any consecutive 365 day period were less than 160,000 pounds. The annual monitoring report shall include information that documents the NO_x emissions from each emission source at the facility, including exempt and trivial activities. If requested, the report shall also include all emission factors and other data used in calculating the monthly NO_x emissions. The form "Annual Capping Certification" is required.

NONCOMPLIANCE:

Any noncompliance with the NO_x emission limit in this condition shall be reported by sending a copy of such record to the NYSDEC Region 6, within 30 days of the occurrence.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 160,000 pounds per year

Reference Test Method: EPA Reference Method 7E

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 1/30/2018.

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

Condition 4: Capping Monitoring Condition
Effective between the dates of 04/01/2017 and 03/31/2027

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 4.1:

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

6 NYCRR 201-6.1 (a)

Item 4.2:

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

Item 4.3:

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

Item 4.4:

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

Item 4.5:

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

Item 4.6:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 4.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
 Monitoring Type: MONITORING OF PROCESS OR CONTROL
 DEVICE PARAMETERS AS SURROGATE
 Monitoring Description:
 CAP:
 Facility owner shall ensure that facility-wide emissions of particulate matter that are less than 10 microns in mean aerodynamic diameter (PM-10), including those from permitted, exempt, and trivial sources, remain less than 160,000 pounds during any consecutive 365 day period.
 RECORDS:
 Facility owner shall maintain records that verify the facility's monthly PM-10 emissions. These records shall be maintained at the facility for a minimum five year period.
 REPORTS:
 Reports shall be submitted annually, in a format acceptable to the Department, which document that the facility's PM-10 emissions during any consecutive 365 day

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period were less than 160,000 pounds. The annual monitoring report shall include information that documents the PM-10 emissions from each emission source at the facility, including exempt and trivial activities. If requested, the report shall also include all emission factors and other data used to calculate the monthly PM-10 emissions. The form "Annual Capping Certification" is required.

NONCOMPLIANCE:

Any noncompliance with the PM-10 emission limit in this condition shall be reported by sending a copy of such record to the NYSDEC Region 6, within 30 days of the occurrence.

Parameter Monitored: PM-10

Upper Permit Limit: 160,000 pounds per year

Reference Test Method: EPA Reference Methods 1 thru 5 & 202

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 1/30/2018.

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

Condition 20: Visible Emissions Limited
Effective between the dates of 04/01/2017 and 03/31/2027

Applicable Federal Requirement:6 NYCRR 211.2

Item 20.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Condition 7: Compliance Demonstration
Effective between the dates of 04/01/2017 and 03/31/2027

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

Item 7.1:

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

Emission Unit: 1-PELOR
 Process: P02

Emission Source: ENGN1

Emission Unit: 1-PELOR
 Process: P02

Emission Source: ENGN2

Emission Unit: 1-PELOR

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Process: P02 Emission Source: ENGN3

Emission Unit: 1-PELOR
Process: P02 Emission Source: ENGN4

Emission Unit: 1-PELOR
Process: P02 Emission Source: ENGN5

Emission Unit: 1-PELOR
Process: P02 Emission Source: ENGN6

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 7.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Owners and/or operators of stationary combustion installations (diesels) that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent or less sulfur by weight on or after July 1, 2016. This fuel is also known as 15 ppm or as "Ultra Low Sulfur Diesel". Compliance with this limit shall be based upon fuel vendor certifications. It is the responsibility of the fuel user to only accept fuel deliveries that accompany fuel receipts that denote that fuels' sulfur content by weight.

Parameter Monitored: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Upper Permit Limit: 15 parts per million by weight

Reference Test Method: Retain Fuel Receipts

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2018.

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

Condition 8: Compliance Demonstration
Effective between the dates of 04/01/2017 and 03/31/2027

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

Item 8.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-PELOR Emission Point: STCK1

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Emission Unit: 1-PELOR	Emission Point: STCK2
Emission Unit: 1-PELOR	Emission Point: STCK3
Emission Unit: 1-PELOR	Emission Point: STCK4
Emission Unit: 1-PELOR	Emission Point: STCK5
Emission Unit: 1-PELOR	Emission Point: STCK6
Regulated Contaminant(s):	
CAS No: 0NY075-00-5	PM-10

Item 8.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. In addition, the Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee shall conduct observations of visible emissions from these emission points to which this condition applies at the monitoring frequency stated below while these sources are in operation. The permittee shall maintain records of these daily observations. The permittee shall investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the Method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up Method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's recordkeeping format is

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inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
 Upper Permit Limit: 20 percent
 Reference Test Method: Observe plume daily, perform RM9 at NYSDEC request
 Monitoring Frequency: DAILY
 Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2018.
 Subsequent reports are due every 12 calendar month(s).

Condition 9: Compliance Demonstration
Effective between the dates of 04/01/2017 and 03/31/2027

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

Item 9.1:

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

Emission Unit: 1-PELOR Process: P01	Emission Source: 000C1
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C2
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C3
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C4
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C5
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C6
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C7
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C8
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C9

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The affected source shall meet this fugitive emission limit and compliance requirements within 60 days after achieving the maximum production rate at which the facility will be operated, but not later than 180 days after the initial startup. (RM 9 required after an initial startup of new equipment)

To report annual compliance: Facility shall observe visible emissions (not RM9) once each day that the Source is in operation and then log that observation. Observer may elect to observe groupings of equipment (observe a Process). Facility shall submit 12 monthly logs per year.

If heavy or unusual plumes are detected, facility shall perform root cause analysis and then follow-up corrective action. If heavy plumes persist for more than two consecutive days, facility shall then perform RM9 and document this test.

Parameter Monitored: OPACITY
 Upper Permit Limit: 15 percent
 Reference Test Method: Observe plume daily, do RM9 at NYSDEC request
 Monitoring Frequency: DAILY
 Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2018.
 Subsequent reports are due every 12 calendar month(s).

Condition 11: Reporting and Recordkeeping for Replacement of Equipment Effective between the dates of 04/01/2017 and 03/31/2027

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

Item 11.1:

This Condition applies to:

- Emission Unit: IPELOR
 Process: P01 Emission Source: 000C1

- Emission Unit: IPELOR
 Process: P01 Emission Source: 000C2

- Emission Unit: IPELOR
 Process: P01 Emission Source: 000C3

- Emission Unit: IPELOR
 Process: P01 Emission Source: 000C4

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Emission Unit: IPELOR Process: P01	Emission Source: 000C5
Emission Unit: IPELOR Process: P01	Emission Source: 000C6
Emission Unit: IPELOR Process: P01	Emission Source: 000C7
Emission Unit: IPELOR Process: P01	Emission Source: 000C8
Emission Unit: IPELOR Process: P01	Emission Source: 000C9
Emission Unit: IPELOR Process: P01	Emission Source: 00C10
Emission Unit: IPELOR Process: P01	Emission Source: 00C11
Emission Unit: IPELOR Process: P01	Emission Source: 00CR1
Emission Unit: IPELOR Process: P01	Emission Source: 00CR2
Emission Unit: IPELOR Process: P01	Emission Source: 00SC1
Emission Unit: IPELOR Process: P01	Emission Source: 00SC2
Emission Unit: IPELOR Process: P01	Emission Source: 00SC3

Item 11.2:

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

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

- (i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and
- (ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

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

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- (ii) The total surface area of the top screen of the replacement screening operation.
- (3) For a conveyor belt:
 - (i) The width of the existing belt being replaced and
 - (ii) The width of the replacement conveyor belt.
- (4) For a storage bin:
 - (i) The rated capacity in megagrams or tons of the existing storage bin being replaced and
 - (ii) The rated capacity in megagrams or tons of replacement storage bins.

Condition 12: Compliance Demonstration
Effective between the dates of 04/01/2017 and 03/31/2027

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

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

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

Item 12.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall submit written reports of all performance tests of all affected equipment, including opacity observations using Method 9 and Method 22.

Reference Test Method: Methods 9 & 22

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 13: Compliance Demonstration
Effective between the dates of 04/01/2017 and 03/31/2027

Applicable Federal Requirement:40CFR 63.6603(a), Subpart ZZZZ

Item 13.1:
The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: 1-PELOR
Process: P02 Emission Source: ENGN1

Emission Unit: 1-PELOR

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Process: P02 Emission Source: ENGN2

Emission Unit: 1-PELOR
Process: P02 Emission Source: ENGN3

Emission Unit: 1-PELOR
Process: P02 Emission Source: ENGN4

Emission Unit: 1-PELOR
Process: P02 Emission Source: ENGN6

Regulated Contaminant(s):
CAS No: 000050-00-0 FORMALDEHYDE
CAS No: 000630-08-0 CARBON MONOXIDE

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The RICE rule DOES APPLY to these non-emergency, non-black start compression ignition stationary engines that are less than or equal to 300 HP. Per Table 2d (in Subpart ZZZZ), these diesels shall comply by:

- 1) Changing the engine oil and filter every 1000 hours of operation or annually, whichever comes first.
- 2) Inspecting all hoses and belts every 500 hours of operation or annually, whichever comes first and replace as necessary.
- 3) Maintain written records of the above-referenced service.
- 3) Minimize the engine's time spent at idle and minimize the engine's startup phase to a period required for appropriate and safe loading of the engine, not to exceed 30 minutes,

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 14: Emission Unit Permissible Emissions
Effective between the dates of 04/01/2017 and 03/31/2027

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 14.1:

The sum of emissions from all regulated processes specified in this permit for the emission unit

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cited

shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 1-PELOR

CAS No: 0NY075005 (From Mod 0)

Name: PM-10

PTE(s): 160,000 pounds per year

18.26 pounds per hour

CAS No: 0NY210000 (From Mod 0)

Name: OXIDES OF NITROGEN

PTE(s): 160,000 pounds per year

35,600 pounds per hour

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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

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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 15: Contaminant List

Effective between the dates of 04/01/2017 and 03/31/2027

Applicable State Requirement: ECL 19-0301

Item 15.1:

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

CAS No: 000050-00-0
Name: FORMALDEHYDE

CAS No: 000630-08-0
Name: CARBON MONOXIDE

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

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CAS No: 0NY075-00-5
Name: PM-10CAS No: 0NY210-00-0
Name: OXIDES OF NITROGEN**Condition 16: Malfunctions and start-up/shutdown activities**
Effective between the dates of 04/01/2017 and 03/31/2027**Applicable State Requirement: 6 NYCRR 201-1.4****Item 16.1:**

(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 1-1: Malfunctions and Start-up/Shutdown Activities
Effective between the dates of 05/06/2024 and 03/31/2027

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Applicable State Requirement:6 NYCRR 201-1.4**Item 1-1.1:**

(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 17: Emission Unit Definition**Effective between the dates of 04/01/2017 and 03/31/2027****Applicable State Requirement:6 NYCRR Subpart 201-5****Item 17.1(From Mod 0):**

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

Emission Unit: 1-PELOR

Emission Unit Description:

Permit ID: 6-2232-00001/00003

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Emission Unit 1-PELOR consists of all operations that are at the Pelo Road pit. This includes the functions of two crushers, three screens, eleven conveyors and six stationary diesel engines.

Building(s): Outdoors

Condition 18: Renewal deadlines for state facility permits
Effective between the dates of 04/01/2017 and 03/31/2027

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

Item 18.1:

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 19: Compliance Demonstration
Effective between the dates of 04/01/2017 and 03/31/2027

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

Item 19.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 19.2:

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 6
 State Office Building
 317 Washington Ave.
 Watertown, NY 13601

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2018.

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

Condition 5: Air pollution prohibited
Effective between the dates of 04/01/2017 and 03/31/2027

Applicable State Requirement:6 NYCRR 211.1

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Item 5.1:

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

Condition 6: Compliance Demonstration
Effective between the dates of 04/01/2017 and 03/31/2027**Applicable State Requirement:6 NYCRR 211.1****Item 6.1:**

The Compliance Demonstration activity will be performed for the Facility.

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

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility shall establish a complaint response procedure to manage complaints related to air emissions from this facility. The procedure shall be designed to ensure that complaints from officials or neighbors are adequately received and documented, and that appropriate response is taken by the facility. The facility shall:

1. Have a complaint phone line available 24 hours a day, 7 days a week; the employment of an answering machine is acceptable.
2. Investigate any possible causes of any complaint received.
3. Take prompt action to abate any circumstance which is found to be the cause of the complaint.
4. Fully document the complaint, results of investigation, and action taken.
5. Annually, report in a format acceptable to the Department. Facility shall report the number of complaints (even if zero) that have been logged throughout the reporting period.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2018.

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

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

Condition 21: Emission Point Definition By Emission Unit
Effective between the dates of 04/01/2017 and 03/31/2027

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 21.1(From Mod 0):

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

Emission Unit: 1-PELOR

Emission Point: STCK1
 Height (ft.): 12 Diameter (in.): 6
 NYTMN (km.): 4894.658 NYTME (km.): 407.708 Building: Outdoors

Emission Point: STCK2
 Height (ft.): 12 Diameter (in.): 6
 NYTMN (km.): 4894.658 NYTME (km.): 407.708 Building: Outdoors

Emission Point: STCK3
 Height (ft.): 12 Diameter (in.): 6
 NYTMN (km.): 4894.658 NYTME (km.): 407.708 Building: Outdoors

Emission Point: STCK4
 Height (ft.): 12 Diameter (in.): 6
 NYTMN (km.): 4894.658 NYTME (km.): 407.708 Building: Outdoors

Emission Point: STCK5
 Height (ft.): 12 Diameter (in.): 6
 NYTMN (km.): 4894.658 NYTME (km.): 407.708 Building: Outdoors

Emission Point: STCK6
 Height (ft.): 12 Diameter (in.): 6
 NYTMN (km.): 4894.658 NYTME (km.): 407.708 Building: Outdoors

Condition 22: Process Definition By Emission Unit
Effective between the dates of 04/01/2017 and 03/31/2027

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 22.1(From Mod 0):

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

Emission Unit: 1-PELOR
 Process: P01 Source Classification Code: 3-05-040-31

Process Description:
 Process PO1 consists of the operation of a jaw crusher, a cone crusher, three screens and eleven conveyors. These sources crush, screen and convey sand and gravel.

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Emission Source/Control: 000C1 - Process
Design Capacity: 36 inches

Emission Source/Control: 000C2 - Process
Design Capacity: 36 inches

Emission Source/Control: 000C3 - Process
Design Capacity: 36 inches

Emission Source/Control: 000C4 - Process
Design Capacity: 24 inches

Emission Source/Control: 000C5 - Process
Design Capacity: 24 inches

Emission Source/Control: 000C6 - Process
Design Capacity: 24 inches

Emission Source/Control: 000C7 - Process
Design Capacity: 36 inches

Emission Source/Control: 000C8 - Process
Design Capacity: 24 inches

Emission Source/Control: 000C9 - Process
Design Capacity: 36 inches

Emission Source/Control: 00C10 - Process
Design Capacity: 24 inches

Emission Source/Control: 00C11 - Process
Design Capacity: 24 hours each day

Emission Source/Control: 00CR1 - Process

Emission Source/Control: 00CR2 - Process

Emission Source/Control: 00SC1 - Process

Emission Source/Control: 00SC2 - Process

Emission Source/Control: 00SC3 - Process
Design Capacity: 50 square feet

Item 22.2(From Mod 0):

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

Emission Unit: 1-PELOR

Process: P02

Source Classification Code: 2-01-001-02

Process Description:

Process PO2 consists of the operation of five internal

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combustion (IC) stationary diesel engines. One diesel, a Caterpillar C9, drives a Terex self-propelled (on bulldozer tracks) jaw crusher; because this unit is self propelled, the RICE rule will not apply to this engine.

Emission Source/Control: ENGN1 - Combustion
Design Capacity: 59 horsepower (mechanical)

Emission Source/Control: ENGN2 - Combustion
Design Capacity: 96.5 horsepower (mechanical)

Emission Source/Control: ENGN3 - Combustion
Design Capacity: 36.5 horsepower (mechanical)

Emission Source/Control: ENGN4 - Combustion
Design Capacity: 245 horsepower (mechanical)

Emission Source/Control: ENGN5 - Combustion
Design Capacity: 230 horsepower (mechanical)

Emission Source/Control: ENGN6 - Combustion

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