

Facility DEC ID: 8262600016

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 8-2626-00016/02002  
Effective Date: 02/16/2023 Expiration Date: 02/15/2033

Permit Issued To: DOLOMITE PRODUCTS COMPANY INC  
The Dolomite Group A CRH Company  
800 Parker Hill Dr Ste 400  
Rochester, NY 14625

Contact: JOHN SWIERKOS, JR  
THE DOLOMITE GROUP A CRH COMPANY  
800 PARKER HILL DR STE 400  
ROCHESTER, NY 14625  
(585) 381-7010

Facility: DOLOMITE PRODUCTS GATES QUARRY  
1175 and 1383 Buffalo Rd  
GATES, NY 14624

Description:

The permit is for a new Air State Facility (ASF) Permit for the Dolomite Products Gates Quarry to reflect compliance with new regulations aimed at controlling nitrogen oxides (NOx) for hot mix asphalt plants (6 NYCRR Part 212-4.1).

The Dolomite Gates Quarry is located at 1175 and 1383 Buffalo Rd. in Town of Gates, Monroe County. This ASF permit combines the existing hot-mix asphalt (HMA) production plant and quarry operations (aggregate production) portions of the facility under a single permit. The asphalt plants and quarry previously operated under a separate ASF and Air Facility Registration, respectively.

The facility operates a 4-Ton, 240 tph, HMA batch plant and a 350 tph HMA drum plant. Both plants have been equipped with low NOx burners and are considered to have NOx RACT (Reasonably Available Control Technology) in accordance with 6 NYCRR 212-4. The facility also contains an aggregate processing plant including two crushers, two screens, and six conveyors powered by line power.

The draft permit contains federally enforceable caps to restrict the facility's potentials to emit carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), oxides of nitrogen (NO<sub>x</sub>), and volatile organic compounds (VOC) to below the applicability thresholds of Title V Permits for a Major Stationary Source (NYCRR 201-6). The facility is subject to 6 NYCRR Part 212 regulations and

Facility DEC ID: 8262600016

has demonstrated compliance with short term and annual guideline concentrations. Monitoring conditions are included in the permit to ensure ongoing compliance with Part 212. Records are to be maintained for a minimum of five years and must be made available to Department Inspectors on request. The permit also includes authorization to use waste fuel A, subject to contaminant limitations specified in Part 225-2.4(b), as a fuel, in addition to natural gas and #2 fuel oil.

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: KIMBERLY A MERCHANT  
6274 E AVON LIMA RD  
AVON, NY 14414-9519

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

Facility DEC ID: 8262600016

**Notification of Other State Permittee Obligations**

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

Facility DEC ID: 8262600016

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**DEC GENERAL CONDITIONS**

**General Provisions**

- 5 1 Facility Inspection by the Department
- 5 2 Relationship of this Permit to Other Department Orders and Determinations
- 5 3 Applications for permit renewals, modifications and transfers
- 6 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 6 5 Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS

Facility DEC ID: 8262600016

**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.

Facility DEC ID: 8262600016

**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 8 HEADQUARTERS**  
**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 8 Headquarters  
Division of Environmental Permits  
6274 Avon-Lima Road  
Avon, NY 14414-9519  
(585) 226-2466

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: DOLOMITE PRODUCTS COMPANY INC  
The Dolomite Group A CRH Company  
800 Parker Hill Dr Ste 400  
Rochester, NY 14625

Facility: DOLOMITE PRODUCTS GATES QUARRY  
1175 and 1383 Buffalo Rd  
GATES, NY 14624

Authorized Activity By Standard Industrial Classification Code:  
2951 - PAVING MIXTURES AND BLOCKS

Permit Effective Date: 02/16/2023

Permit Expiration Date: 02/15/2033

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

7	1	6 NYCRR 201-7.1: Facility Permissible Emissions
7	*2	6 NYCRR 201-7.1: Capping Monitoring Condition
9	*3	6 NYCRR 201-7.1: Capping Monitoring Condition
11	*4	6 NYCRR 201-7.1: Capping Monitoring Condition
12	*5	6 NYCRR 201-7.1: Capping Monitoring Condition
14	*6	6 NYCRR 201-7.1: Capping Monitoring Condition
16	*7	6 NYCRR 201-7.1: Capping Monitoring Condition
17	*8	6 NYCRR 201-7.1: Capping Monitoring Condition
19	9	6 NYCRR 211.2: Visible Emissions Limited
19	10	6 NYCRR 212-1.6 (a): Compliance Demonstration
21	11	6 NYCRR 212-2.3 (b): Compliance Demonstration
22	12	6 NYCRR 212-2.5 (b): Compliance Demonstration
23	13	6 NYCRR 212-2.5 (b): Compliance Demonstration
24	14	6 NYCRR 212-2.5 (b): Compliance Demonstration
25	15	6 NYCRR 225-1.2 (d): Compliance Demonstration
26	16	6 NYCRR 225-1.2 (e): Compliance Demonstration
27	17	6 NYCRR 225-1.2 (e): Compliance Demonstration
27	18	6 NYCRR 225-2.5: Compliance Demonstration
28	19	6 NYCRR 225-2.5: Compliance Demonstration
29	20	6 NYCRR 225-2.5: Compliance Demonstration
29	21	6 NYCRR 225-2.5: Compliance Demonstration
30	22	6 NYCRR 225-2.5: Compliance Demonstration
31	23	6 NYCRR 225-2.5: Compliance Demonstration
32	24	6 NYCRR 225-2.5: Compliance Demonstration
33	25	40CFR 60.7(a)(6), NSPS Subpart A: Compliance Demonstration
33	26	40CFR 60.8(b), NSPS Subpart A: Performance test methods.
33	27	40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
34	28	40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration
34	29	40CFR 60.93(b), NSPS Subpart I: Test Methods and Procedures
35	30	40CFR 60.670(a)(1), NSPS Subpart OOO: Applicability
35	31	40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
36	32	40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
37	33	40CFR 60.675(c)(1), NSPS Subpart OOO: Opacity Procedures - Method 9 with Following Additions
37	34	40CFR 60.675(c)(3), NSPS Subpart OOO: Method 9 Observation Time Reduction Requirements - Fugitive
38	35	40CFR 60.676(a), NSPS Subpart OOO: Reporting and Recordkeeping for Replacement of Equipment
39	36	40CFR 60.676(f), NSPS Subpart OOO: Compliance Demonstration
39	37	40CFR 60.676(k), NSPS Subpart OOO: Where to send reports

**Emission Unit Level**

**EU=U-MNAGG**

39	38	40CFR 60.674(b), NSPS Subpart OOO: Compliance Demonstration
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**STATE ONLY ENFORCEABLE CONDITIONS**



Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**Facility Level**

- 42 39 ECL 19-0301: Contaminant List
- 43 40 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 44 41 6 NYCRR Subpart 201-5: Emission Unit Definition
- 45 42 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 45 43 6 NYCRR 201-5.3 (c): CLCPA Applicability
- 45 44 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 46 45 6 NYCRR 211.1: Air pollution prohibited

**Emission Unit Level**

- 46 46 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 46 47 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**FEDERALLY ENFORCEABLE CONDITIONS**

FINAL

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

required to operate such device effectively.

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

(a) Except as otherwise provided by this Part, construction or operation of a new, modified or existing air contamination source without a registration or permit issued pursuant to this Part is prohibited.

(b) If an existing facility or emission source was subject to the permitting requirements of this Part at the time of construction or modification, and the owner or operator failed to apply for a permit or registration as described in this Part, the owner or operator must apply for a permit or registration in accordance with the provisions of this Part. The facility or emission source is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing emission sources.

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

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

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

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

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

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

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

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

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

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

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

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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 02/16/2023 and 02/15/2033**

**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: 000630-08-0 Name: CARBON MONOXIDE	PTE: 199,999 pounds per year
CAS No: 007446-09-5 Name: SULFUR DIOXIDE	PTE: 199,999 pounds per year
CAS No: 0NY075-00-5 Name: PM-10	PTE: 199,999 pounds per year
CAS No: 0NY075-02-5 Name: PM 2.5	PTE: 199,999 pounds per year
CAS No: 0NY100-00-0 Name: TOTAL HAP	PTE: 49,999 pounds per year
CAS No: 0NY210-00-0 Name: OXIDES OF NITROGEN	PTE: 199,999 pounds per year
CAS No: 0NY998-00-0 Name: VOC	PTE: 99,999 pounds per year

**Condition 2: Capping Monitoring Condition**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**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

**Item 2.2:**

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

**Item 2.3:**

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

**Item 2.4:**

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:

To remain below the applicability thresholds of 6 NYCRR Subpart 201-6, Title V Facility Permits, facility annual emissions of oxides of nitrogen (NOx) must not exceed 199,999 pounds per year on a twelve-month rolling basis.

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

To demonstrate compliance with this limit, actual facility emissions of NO<sub>x</sub> must be calculated monthly and incorporated into a twelve-month rolling total in tons per year. Emissions from the HMA plants must be calculated based on monthly tons of hot-mix asphalt (HMA) production per plant per fuel fired in the burner. NO<sub>x</sub> emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners or another source acceptable to the Department (e.g., EPA's AP-42).

The facility owner or operator must keep records of the monthly tons of HMA produced per plant per fuel. Emissions calculations must document the source of each emission factor used. Records of HMA production, emission factor documentation, and emissions calculations must be maintained by the facility owner or operator for at least five years and made available to the Department upon request.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 199999 pounds 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 1/30/2024.

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

**Condition 3: Capping Monitoring Condition**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement: 6 NYCRR 201-7.1**

**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

**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.

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**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: 000630-08-0 CARBON MONOXIDE

**Item 3.7:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To remain below the applicability thresholds of 6 NYCRR Subpart 201-6, Title V Facility Permits, facility annual emissions of oxides of carbon monoxide (CO) must not exceed 199,999 pounds per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of CO must be calculated monthly and incorporated into a twelve-month rolling total in tons per year. Emissions from the HMA plants must be calculated based on monthly tons of hot-mix asphalt (HMA) production per plant per fuel fired in the burner. CO emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners or another source acceptable to the Department (e.g., EPA's AP-42).

The facility owner or operator must keep records of the monthly tons of HMA produced per plant per fuel. Emissions calculations must document the source of each emission factor used. Records of HMA production, emission factor documentation, and emissions calculations must be maintained by the facility owner or operator for at least five years and made available to the Department upon request.



Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

Parameter Monitored: CARBON MONOXIDE  
 Upper Permit Limit: 199999 pounds 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 1/30/2024.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 4: Capping Monitoring Condition**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement: 6 NYCRR 201-7.1**

**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

**Item 4.2:**

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

**Item 4.3:**

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

**Item 4.4:**

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

**Item 4.5:**

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

**Item 4.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
 CAS No: 0NY998-00-0    VOC

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**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:

To remain below the applicability thresholds of 6 NYCRR Subpart 201-6, Title V Facility Permits, facility annual emissions of oxides of Volatile Organic Compounds (VOC) must not exceed 99,999 pounds per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of VOC must be calculated monthly and incorporated into a twelve-month rolling total in tons per year. Emissions from the HMA plants must be calculated based on monthly tons of hot-mix asphalt (HMA) production per plant per fuel fired in the burner. VOC emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners or another source acceptable to the Department (e.g., EPA's AP-42).

The facility owner or operator must keep records of the monthly tons of HMA produced per plant per fuel. Emissions calculations must document the source of each emission factor used. Records of HMA production, emission factor documentation, and emissions calculations must be maintained by the facility owner or operator for at least five years and made available to the Department upon request.

Parameter Monitored: VOC

Upper Permit Limit: 99999 pounds 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 1/30/2024.

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

**Condition 5: Capping Monitoring Condition**

**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 5.1:**

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

otherwise be subject to:

6 NYCRR 201-6.1

**Item 5.2:**

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

**Item 5.3:**

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

**Item 5.4:**

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

**Item 5.5:**

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

**Item 5.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY075-02-5      PM 2.5

**Item 5.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To remain below the applicability thresholds of 6 NYCRR Subpart 201-6, Title V Facility Permits, facility annual emissions of tiny particles (PM 2.5) must not exceed 199,999 pounds per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of PM 2.5 must be calculated monthly and incorporated into a twelve-month rolling total in tons per year. Emissions from the HMA plants must be calculated based on monthly tons of hot-mix asphalt (HMA) production

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

per plant per fuel fired in the burner. Emission of the aggregate plant must be calculated based on the monthly tons processed. PM 2.5 emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners or another source acceptable to the Department (e.g., EPA's AP-42).

The facility owner or operator must keep records of the monthly tons of HMA produced per plant per fuel and aggregate processed. Emissions calculations must document the source of each emission factor used. Records of HMA production, aggregate production, emission factor documentation, and emissions calculations must be maintained by the facility owner or operator for at least five years and made available to the Department upon request.

Parameter Monitored: PM 2.5

Upper Permit Limit: 199999 pounds 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 1/30/2024.

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

**Condition 6: Capping Monitoring Condition**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 6.1:**

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

**Item 6.2:**

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

**Item 6.3:**

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 6.4:**

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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 6.5:**

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 6.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 6.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To remain below the applicability thresholds of 6 NYCRR Subpart 201-6, Title V Facility Permits, facility annual emissions of particles (PM-10) must not exceed 199,999 pounds per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of PM-10 must be calculated monthly and incorporated into a twelve-month rolling total in tons per year. Emissions from the HMA plants must be calculated based on monthly tons of hot-mix asphalt (HMA) production per plant per fuel fired in the burner. Emission of the aggregate plant must be calculated based on the monthly tons processed. PM-10 emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners or another source acceptable to the Department (e.g., EPA's AP-42).

The facility owner or operator must keep records of the monthly tons of HMA produced per plant per fuel and aggregate processed. Emissions calculations must document the source of each emission factor used. Records of HMA production, aggregate production, emission factor documentation, and emissions calculations must be maintained by the facility owner or operator for at least five years and made available to the Department upon request.

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

Parameter Monitored: PM-10  
 Upper Permit Limit: 199999 pounds 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 1/30/2024.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 7: Capping Monitoring Condition**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement: 6 NYCRR 201-7.1**

**Item 7.1:**

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

**Item 7.2:**

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

**Item 7.3:**

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 7.4:**

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 7.5:**

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 7.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
 CAS No: 0NY100-00-0 TOTAL HAP

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**Item 7.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To remain below the applicability thresholds of 6 NYCRR Subpart 201-6, Title V Facility Permits, facility annual emissions of hazardous air pollutants (HAPs) must not exceed 49,999 pounds per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of HAPs must be calculated monthly and incorporated into a twelve-month rolling total in tons per year. Emissions from the HMA plants must be calculated based on monthly tons of hot-mix asphalt (HMA) production per plant per fuel fired in the burner. HAPs emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners or another source acceptable to the Department (e.g., EPA's AP-42).

The facility owner or operator must keep records of the monthly tons of HMA produced per plant per fuel. Emissions calculations must document the source of each emission factor used. Records of HMA production, emission factor documentation, and emissions calculations must be maintained by the facility owner or operator for at least five years and made available to the Department upon request.

Parameter Monitored: TOTAL HAP  
Upper Permit Limit: 49,999 pounds 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 1/30/2024.  
Subsequent reports are due every 12 calendar month(s).

**Condition 8: Capping Monitoring Condition**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 8.1:**

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

otherwise be subject to:

6 NYCRR 201-6.1

**Item 8.2:**

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

**Item 8.3:**

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 8.4:**

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 8.5:**

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 8.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 8.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

To remain below the applicability thresholds of 6 NYCRR Subpart 201-6, Title V Facility Permits, facility annual emissions of oxides of sulfur dioxide (SO<sub>2</sub>) must not exceed 199,999 pounds per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of SO<sub>2</sub> must be calculated monthly and incorporated into a twelve-month rolling total in tons per year. Emissions from the HMA plants must be calculated based on monthly tons of hot-mix asphalt (HMA) production



Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

per plant per fuel fired in the burner. SO2 emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners or another source acceptable to the Department (e.g., EPA's AP-42).

The facility owner or operator must keep records of the monthly tons of HMA produced per plant per fuel. Emissions calculations must document the source of each emission factor used. Records of HMA production, emission factor documentation, and emissions calculations must be maintained by the facility owner or operator for at least five years and made available to the Department upon request.

Parameter Monitored: SULFUR DIOXIDE  
 Upper Permit Limit: 199999 pounds 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 1/30/2024.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 9: Visible Emissions Limited**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 9.1:**  
 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 10: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 10.1:**  
 The Compliance Demonstration activity will be performed for the facility:  
 The Compliance Demonstration applies to:

Emission Unit: U-G4001	Emission Point: G4001
Emission Unit: U-GD001	Emission Point: GD001

**Item 10.2:**  
 Compliance Demonstration shall include the following monitoring:

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of an EPA Reference Test Method 9 opacity evaluation at any time during facility operation.

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

The facility owner or operator shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the limit specified (except the emission of uncombined water) are observed for three consecutive operating days from the same emission point, the facility owner or operator will notify the Department of the observations within one business day. The facility owner or operator will also perform an EPA Reference Test Method 9 opacity evaluation analysis of the affected emission point and submit the results to the Department.

Daily records of the visible emissions observations, any follow-up Method 9 observations, investigations, and corrective actions taken are to be maintained on site for a period of at least five years from the date of the record. Such records shall include the date and time of each observation, weather conditions, results of the observation, corrective actions taken, and explanations for days when weather conditions were prohibitive.

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Reference Test Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**Condition 11: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement: 6 NYCRR 212-2.3 (b)**

**Item 11.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000050-00-0      FORMALDEHYDE

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

In accordance with 6 NYCRR 212-2.1(b), facility process emissions of formaldehyde must comply with the air cleaning requirements under Table 4 to 6 NYCRR 212-2.3(b). Formaldehyde has been assigned an Environmental Rating of "A" and the formaldehyde emission rate potential (ERP) from process emission sources is less than 0.1 lbs/hour.

According to the degree of air cleaning specified for A-rated air contaminants with an ERP less than 0.1 lbs/hour under Table 4, ambient impacts from process emissions of formaldehyde must meet the annual guideline concentration (AGC) under NYSDEC Program Policy DAR-1. Therefore, the ambient formaldehyde concentration must not exceed 0.06 micrograms per cubic meter on an annual average basis.

To demonstrate compliance with this limit, the facility owner or operator must determine the annually averaged ambient formaldehyde concentration (in micrograms per cubic meter) on a monthly basis. The annually averaged ambient concentration must be calculated based on the 12-month rolling annual formaldehyde emissions from each HMA plant and the AERSCREEN maximum modeled annual concentration for each HMA plant submitted with the permit application according to the following equation:

$$\text{HCHO Conc.} = \frac{\text{Modeled Conc.} \times \text{HCHO Emissions}}{8760}$$

where,

HCHO Conc. = Annually averaged ambient formaldehyde concentration from each HMA plant [micrograms/cubic meter]

Modeled Conc. = Maximum modeled annual scaled concentration at 1 lbs/hr emission rate for each HMA plant

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

[micrograms/cubic meter]  
 HCHO Emissions = 12-monthly rolling annual formaldehyde emissions from each HMA plant [lbs/year]

The total annual formaldehyde concentration from the facility will be the sum of the concentrations from each HMA plant (i.e., sum of concentrations from emission units UG4001, UGD001.)

Facility emissions of formaldehyde used in the equation above must be calculated monthly and incorporated into a twelve-month rolling total in pounds per year. Emissions from the HMA plants must be calculated based on monthly tons of hot-mix asphalt (HMA) production per plant per fuel fired in the burner. Formaldehyde emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners or another source acceptable to the Department (e.g., EPA's AP-42).

The facility owner or operator must keep records of the monthly tons of HMA produced per plant per fuel. Records of HMA production, formaldehyde emissions calculations, and ambient formaldehyde concentrations must be maintained by the facility owner or operator for at least five years and made available to the Department upon request. The AGC for formaldehyde is the most restrictive and by complying with this monitoring condition the facility is also complying with the requirements of 6 NYCRR 212-2.3(b) for other subject air contaminants.

Parameter Monitored: FORMALDEHYDE  
 Upper Permit Limit: 0.06 micrograms per cubic meter  
 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 1/30/2024.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 12: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement: 6 NYCRR 212-2.5 (b)**

**Item 12.1:**  
 The Compliance Demonstration activity will be performed for the facility:  
 The Compliance Demonstration applies to:

Emission Unit: U-G4001	Emission Point: G4001
Process: HBF	Emission Source: G40BH

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

Emission Unit: U-G4001 Process: HBG	Emission Point: G4001 Emission Source: G40BH
Emission Unit: U-G4001 Process: HBU	Emission Point: G4001 Emission Source: G40BH
Emission Unit: U-GD001 Process: HDF	Emission Point: GD001 Emission Source: GD0BH
Emission Unit: U-GD001 Process: HDG	Emission Point: GD001 Emission Source: GD0BH
Emission Unit: U-GD001 Process: HDU	Emission Point: GD001 Emission Source: GD0BH

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The baghouse shall be monitored daily when the asphalt plant is operating. The baghouse pressure differential must be recorded. Any records showing a pressure drop outside of the normal operating range shall be investigated to determine the cause of deviation. The facility must note their finding and any corrective actions taken.

Records of pressure drop in inches of water shall be kept on site for at least 5 years and deviations must be reported to the department on an annual basis.

Parameter Monitored: PRESSURE DROP  
Lower Permit Limit: 1 inches of water  
Upper Permit Limit: 8 inches of water  
Monitoring Frequency: DAILY  
Averaging Method: RANGE-NOT TO FALL OUTSIDE OF STATED  
RANGE EXCEPT DURING STARTUP/SHUTDOWN  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 13: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement:6 NYCRR 212-2.5 (b)**

**Item 13.1:**

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

Emission Unit: U-G4001	Emission Point: G4001
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Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

Emission Unit: U-GD001

Emission Point: GD001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The hot-mix asphalt (HMA) plants are subject the permissible particulate emission rate requirement under Table 6 to 6 NYCRR 212-2.5(b) for new or modified emission sources. Based on the maximum hourly process weight, particulate emissions from each of the HMA plants is limited to 0.030 grains per standard cubic feet of undiluted exhaust gas on a dry basis.

To demonstrate compliance with this limit the facility owner or operator must conduct a performance test using EPA Method 5 upon request by the Department. In accordance with 6 NYCRR 202-1, a test protocol must be submitted to the Department at least 30 days prior to conducting the test. A test report must be submitted to the Department in triplicate within 60 days of completing the test.

Copies of test reports showing compliance with this limit must be kept on site for a minimum of five years and made available to the Department upon request.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.030 grains per cubic foot

Reference Test Method: Method 5

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 14: Compliance Demonstration**

**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement:6 NYCRR 212-2.5 (b)**

**Item 14.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-G4001

Process: HBF

Emission Source: G40BH

Emission Unit: U-G4001

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

Process: HBG	Emission Source: G40BH
Emission Unit: U-G4001	
Process: HBU	Emission Source: G40BH
Emission Unit: U-GD001	
Process: HDF	Emission Source: GD0BH
Emission Unit: U-GD001	
Process: HDG	Emission Source: GD0BH
Emission Unit: U-GD001	
Process: HDU	Emission Source: GD0BH

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee will confirm that baghouse conditions are within ranges that ensure compliance with the particulate emission rate. To verify compliance with the particulate emission rate an Internal visual inspection of baghouse tube sheet and internal structure must be conducted on an annual basis.

Corrective actions required based on inspection results shall be taken as soon as physically possible and the department shall be notified if corrective actions take more than a day to complete.

The facility shall keep record of inspections, issues found, and corrective actions taken for 5 years. Records shall be made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 15: Compliance Demonstration**

**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**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: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

Monitoring Description:

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

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

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

**Condition 16: Compliance Demonstration**  
 Effective between the dates of 02/16/2023 and 02/15/2033

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

**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: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:  
 Owners or operators of emission sources that fire waste oil are limited to a 0.25 percent sulfur content by weight of the fuel on or after July 1, 2023. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: WASTE OIL  
 Parameter Monitored: SULFUR CONTENT  
 Upper Permit Limit: 0.25 percent by weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**Condition 17: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 17.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 17.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire waste oil are limited to a 0.75 percent sulfur content by weight of the fuel thru June 30, 2023. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.75 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 18: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 18.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 18.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: WASTE OIL  
 Parameter Monitored: ARSENIC  
 Upper Permit Limit: 5 Parts per million, dry weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 19: Compliance Demonstration**  
 Effective between the dates of 02/16/2023 and 02/15/2033

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

**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: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

Process Material: WASTE OIL  
 Parameter Monitored: CADMIUM  
 Upper Permit Limit: 2 Parts per million, dry weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
 TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 20: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 20.1:**  
 The Compliance Demonstration activity will be performed for the Facility.

**Item 20.2:**  
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
 OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: WASTE OIL  
 Parameter Monitored: CHROMIUM  
 Upper Permit Limit: 10 Parts per million, dry weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
 TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 21: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**Item 21.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 21.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: HEAT CONTENT

Upper Permit Limit: 125000 British thermal units per gallon

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 22: Compliance Demonstration**

**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 22.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: LEAD

Upper Permit Limit: 100 Parts per million, dry weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 23: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 23.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 23.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Records shall be kept of the total quantity of waste oil received as well as the name and address of each waste oil supplier. Copies of all records shall be maintained on site for a minimum of five years. Title V facilities

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

shall submit reports to the Department on a semiannual calendar basis that all records required in Section 225-2.6 are being maintained at the facility. All facilities shall submit copies of these records upon the Department's request.

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

**Condition 24: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 24.1:**  
 The Compliance Demonstration activity will be performed for the Facility.

**Item 24.2:**  
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: WASTE OIL  
 Parameter Monitored: HALOGEN, TOTAL ORGANIC  
 Upper Permit Limit: 1000 Parts per million, dry weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 25: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement:40CFR 60.7(a)(6), NSPS Subpart A**

**Item 25.1:**  
The Compliance Demonstration activity will be performed for the Facility.

**Item 25.2:**  
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Any owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

A notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1). The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 26: Performance test methods.**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 26.1:**  
Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

**Condition 27: Performance testing facilities.**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 27.1:**  
The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

**Condition 28: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 28.1:**

The Compliance Demonstration activity will be performed for the Facility.

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

**Item 28.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having a six minute average opacity of 20 percent or greater except for one six minute period not to exceed 27 percent. The owner or operator must maintain records of the opacity tests on site or at an alternative location approved by the Department for a minimum of 10 years.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: Method 9  
Monitoring Frequency: ANNUALLY  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 29: Test Methods and Procedures**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable Federal Requirement:40CFR 60.93(b), NSPS Subpart I**

**Item 29.1:**

The owner or operator shall determine compliance with the particulate matter standards in 40 CFR 60.92 as follows:

- (1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).
- (2) Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.





Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

fugitive emissions which exhibit greater than 15 percent opacity.

Parameter Monitored: OPACITY  
 Upper Permit Limit: 15 percent  
 Reference Test Method: EPA Method 9  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 32: Compliance Demonstration**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 32.1:**

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

Emission Unit: U-MNAGG Process: AGG	Emission Source: 5SCRN
Emission Unit: U-MNAGG Process: AGG	Emission Source: 6SCRN
Emission Unit: U-MNAGG Process: AGG	Emission Source: CONV1
Emission Unit: U-MNAGG Process: AGG	Emission Source: CONV2
Emission Unit: U-MNAGG Process: AGG	Emission Source: CONV3
Emission Unit: U-MNAGG Process: AGG	Emission Source: CONV4
Emission Unit: U-MNAGG Process: AGG	Emission Source: CONV5
Emission Unit: U-MNAGG Process: AGG	Emission Source: CONV6
Emission Unit: U-MNAGG Process: AGG	Emission Source: CONV7

**Item 32.2:**

Compliance Demonstration shall include the following monitoring:

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

Monitoring Description:

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 (as defined in 40 CFR 60.670(a)(1)) any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in 40 CFR 60.672(c), (d), and (e).

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 33: Opacity Procedures - Method 9 with Following Additions Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 33.1:**

This Condition applies to:

Emission Unit: UMNAGG

Process: AGG

**Item 33.2:**

In determining compliance with the particulate matter standards in 40 CFR 60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in 40CFR 60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

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

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

**Condition 34: Method 9 Observation Time Reduction Requirements - Fugitive Effective between the dates of 02/16/2023 and 02/15/2033**

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

**Item 34.1:**

When determining compliance with the fugitive emissions standard for any affected facility described under 40 CFR 60.672(b), the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

- (i) There are no individual readings greater than 10 percent opacity; and
- (ii) There are no more than 3 readings of 10 percent for the 1-hour period.

**Condition 35: Reporting and Recordkeeping for Replacement of Equipment Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 35.1:**

This Condition applies to:

Emission Unit: UMNAGG

**Item 35.2:**

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

(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:

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

- (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 36: Compliance Demonstration**  
Effective between the dates of 02/16/2023 and 02/15/2033

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

**Item 36.1:**  
The Compliance Demonstration activity will be performed for the Facility.

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

**Item 36.2:**  
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 37: Where to send reports**  
Effective between the dates of 02/16/2023 and 02/15/2033

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

**Item 37.1:**  
This Condition applies to:

Emission Unit: UMNAGG  
Process: AGG

**Item 37.2: Notifications and reports required under this subpart and under subpart A of this part** to demonstrate compliance with this subpart need only to be sent to the EPA Region or the State which has been delegated authority according to §60.4(b).

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

**Condition 38: Compliance Demonstration**  
Effective between the dates of 02/16/2023 and 02/15/2033

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

**Item 38.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-MNAGG

Regulated Contaminant(s):

CAS No: 0NY075-00-0      PARTICULATES

**Item 38.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

Monitoring Frequency: MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2024.

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**STATE ONLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

An emergency, as defined in 6 NYCRR subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

(2) the equipment at the facility was being properly operated and maintained;

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

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

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

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

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

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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 39: Contaminant List**

**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 39.1:**

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



Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

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

CAS No: 0NY075-02-5  
Name: PM 2.5

CAS No: 0NY100-00-0  
Name: TOTAL HAP

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

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

**Condition 40: Malfunctions and Start-up/Shutdown Activities**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 40.1:**

(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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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 41: Emission Unit Definition**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 41.1:**

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

Emission Unit: U-G4001

Emission Unit Description:

This emission unit consists of a 240 tph hot mix asphalt batch plant fitted with a Hauck Ecostar II 75B Burner rated at 86 MMBtu/hr with the capabilities of firing the following fuels: 1. Process HBU - waste oil  
 2. Process HBF - #2 fuel oil  
 3. Process HBG - natural gas  
 This unit also contains a 1992 Standard Havens/48,000 baghouse filter control device (G40BH & G40PC).

**Item 41.2:**

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

Emission Unit: U-GD001

Emission Unit Description:

This emission unit consists of a 350 tph hot mix asphalt drum plant fitted with Gencor UFII-135 low-NOx burner rated at 135 MMBtu/hr with the capabilities of firing the following fuels: 1. Process HDU – Waste Oil A  
 2. Process HDF - #2 fuel oil  
 3. Process HDG - natural gas  
 This unit also contains a baghouse filter control device (HD0BH & HD0PC).

**Item 41.3:**

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

Emission Unit: U-MNAGG

Emission Unit Description:

This unit consists of the main aggregate processing plant that includes two (2) crushers, two (2) screens and seven (7) conveyors powered by line power. Dust is controlled by water spray system. All components of this equipment are from 2000 or later. 40 CFR 60, Subpart OOO applies.

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**Condition 42: Renewal deadlines for state facility permits**  
Effective between the dates of 02/16/2023 and 02/15/2033

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

**Item 42.1:**

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 43: CLCPA Applicability**  
Effective between the dates of 02/16/2023 and 02/15/2033

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

**Item 43.1:**

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

**Condition 44: Compliance Demonstration**  
Effective between the dates of 02/16/2023 and 02/15/2033

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

**Item 44.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 44.2:**

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 8  
6274 East Avon-Lima Rd.  
Avon, NY 14414

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2024.

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

**Condition 45: Air pollution prohibited**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 45.1:**

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

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

**Condition 46: Emission Point Definition By Emission Unit**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 46.1:**

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

Emission Unit: U-G4001

Emission Point: G4001

Height (ft.): 38                      Diameter (in.): 36  
 NYTMN (km.): 4780.621    NYTME (km.): 281.529

**Item 46.2:**

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

Emission Unit: U-GD001

Emission Point: GD001

Height (ft.): 43                      Diameter (in.): 34  
 NYTMN (km.): 4780.621    NYTME (km.): 281.529

**Condition 47: Process Definition By Emission Unit**  
**Effective between the dates of 02/16/2023 and 02/15/2033**

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

**Item 47.1:**

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

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

Emission Unit: U-G4001  
Process: HBF Source Classification Code: 3-05-002-01  
Process Description:  
This process consists of a 240 tph hot mix asphalt batch plant firing #2 fuel oil.

Emission Source/Control: G40BH - Control  
Control Type: FABRIC FILTER

Emission Source/Control: G40PC - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: G4001 - Process  
Design Capacity: 240 tons per hour

**Item 47.2:**

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

Emission Unit: U-G4001  
Process: HBG Source Classification Code: 3-05-002-01  
Process Description:  
This process consists of a 240 tph hot mix asphalt batch plant firing natural gas.

Emission Source/Control: G40BH - Control  
Control Type: FABRIC FILTER

Emission Source/Control: G40PC - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: G4001 - Process  
Design Capacity: 240 tons per hour

**Item 47.3:**

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

Emission Unit: U-G4001  
Process: HBU Source Classification Code: 3-05-002-01  
Process Description:  
This process consists of a 240 tph hot mix asphalt batch plant firing waste oil.

Emission Source/Control: G40BH - Control  
Control Type: FABRIC FILTER

Emission Source/Control: G40PC - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: G4001 - Process  
Design Capacity: 240 tons per hour

**Item 47.4:**

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

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

Emission Unit: U-GD001  
 Process: HDF Source Classification Code: 3-05-002-01  
 Process Description:  
 This process consists of a 350 tph hot mix asphalt drum  
 plant firing #2 fuel oil.

Emission Source/Control: GD0BH - Control  
 Control Type: FABRIC FILTER

Emission Source/Control: GD0PC - Control  
 Control Type: CENTRIFUGAL

Emission Source/Control: GD001 - Process  
 Design Capacity: 350 tons per hour

**Item 47.5:**

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

Emission Unit: U-GD001  
 Process: HDG Source Classification Code: 3-05-002-01  
 Process Description:  
 This process consists of a 350 tph hot mix asphalt drum  
 plant firing natural gas.

Emission Source/Control: GD0BH - Control  
 Control Type: FABRIC FILTER

Emission Source/Control: GD0PC - Control  
 Control Type: CENTRIFUGAL

Emission Source/Control: GD001 - Process  
 Design Capacity: 350 tons per hour

**Item 47.6:**

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

Emission Unit: U-GD001  
 Process: HDU Source Classification Code: 3-05-002-01  
 Process Description:  
 This process consists of a 350 tph hot mix asphalt drum  
 plant firing waste oil.

Emission Source/Control: GD0BH - Control  
 Control Type: FABRIC FILTER

Emission Source/Control: GD0PC - Control  
 Control Type: CENTRIFUGAL

Emission Source/Control: GD001 - Process  
 Design Capacity: 350 tons per hour

Permit ID: 8-2626-00016/02002

Facility DEC ID: 8262600016

**Item 47.7:**

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

Emission Unit: U-MNAGG

Process: AGG

Source Classification Code: 3-05-040-30

Process Description:

Under this process, the main aggregate processing plant consisting of crushers, screens and conveyors. All emissions are fugitive. Emissions are controlled by water spray nozzles and moisture that carries over from the previous control point. The plant is circa 2000.

Emission Source/Control: 5SCRN - Process

Design Capacity: 250 tons per hour

Emission Source/Control: 6SCRN - Process

Design Capacity: 250 tons per hour

Emission Source/Control: CONV1 - Process

Design Capacity: 36 tons per hour

Emission Source/Control: CONV2 - Process

Design Capacity: 36 tons per hour

Emission Source/Control: CONV3 - Process

Design Capacity: 36 tons per hour

Emission Source/Control: CONV4 - Process

Design Capacity: 36 tons per hour

Emission Source/Control: CONV5 - Process

Design Capacity: 36 tons per hour

Emission Source/Control: CONV6 - Process

Design Capacity: 36 tons per hour

Emission Source/Control: CONV7 - Process

Design Capacity: 36 tons per hour

Emission Source/Control: PCRUS - Process

Design Capacity: 250 tons per hour

Emission Source/Control: SCRUS - Process

Design Capacity: 250 tons per hour

**Permit ID: 8-2626-00016/02002**

**Facility DEC ID: 8262600016**