

Facility DEC ID: 8323600005

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 8-3236-00005/02002
Effective Date: 02/17/2023 Expiration Date: 02/16/2033

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 MANCHESTER QUARRY AND HOT MIX
ASPHALT FACILITY
1719 LOVERS LN|CO RD 7
MANCHESTER, NY 14504

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

Description:

Initial Air State Facility Permit for the Dolomite Products Manchester Quarry and Asphalt Plant located at 1719 Lovers Lane, Manchester, NY. This ASF permit combines the hot-mix asphalt production plant and quarry operations (aggregate production) portions of the facility under a single permit. The asphalt plant and quarry previously operated under a separate ASF and AFR, respectively. The combined facility includes Emission Units U-M5001 and U-TD001 which each correspond to an HMA plant that has the capability to fire natural gas or No. 2 fuel oil. Emission Unit U-M5001 may also fire waste fuel A. Quarry operations are included under Emission Units P-PORAG and U-MAAGG which each correspond to an aggregate processing plant.

Emission Units U-M5001 and U-TD001 are equipped with low-NOx burners and are considered to have NOx RACT in accordance with 6 NYCRR 212-4. The HMA plants are also subject to applicable requirements under 40 CFR 60, Subpart I and 6 NYCRR Part 212.

This initial ASF permit establishes federally enforceable emissions caps for NOx, Sulfur Dioxide, VOC, PM-2.5, and PM-10, and CO to limit facility emissions below Major Source Thresholds.

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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: ___ / ___ / ___

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Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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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.

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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

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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 MANCHESTER QUARRY AND HOT MIX
ASPHALT FACILITY
1719 LOVERS LN|CO RD 7
MANCHESTER, NY 14504

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

Permit Effective Date: 02/17/2023

Permit Expiration Date: 02/16/2033

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NOTE: * preceding the condition number indicates capping.

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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,

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required to operate such device effectively.

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

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

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

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

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

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

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

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

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

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

Item H: Proof of Eligibility for Sources Defined as Trivial

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Activities - 6 NYCRR 201-3.3 (a)

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

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

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

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

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

Item K: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: Facility Permissible Emissions
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 1.1:

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

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

CAS No: 000630-08-0 Name: CARBON MONOXIDE	PTE: 196,000 pounds per year
CAS No: 007446-09-5 Name: SULFUR DIOXIDE	PTE: 196,000 pounds per year
CAS No: 0NY075-00-5 Name: PM-10	PTE: 196,000 pounds per year
CAS No: 0NY075-02-5 Name: PM 2.5	PTE: 196,000 pounds per year
CAS No: 0NY210-00-0 Name: OXIDES OF NITROGEN	PTE: 196,000 pounds per year
CAS No: 0NY998-00-0 Name: VOC	PTE: 96,000 pounds per year

Condition 2: Capping Monitoring Condition
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the

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purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

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 (NO_x) must not exceed 98 tons per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of NO_x must be calculated monthly and incorporated into a twelve-month rolling total in tons per year. Emissions from the HMA plants must be calculated

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based on monthly tons of hot-mix asphalt (HMA) production per plant per fuel fired in the burner. Emissions from the diesel generator must be calculated based on the monthly diesel fuel consumption in the generator. NOx emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners and generator engine, 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 the monthly quantity of diesel fuel combusted in the generator. Emissions calculations must document the source of each emission factor used. Records of HMA production, generator fuel usage, 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: 98 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2024.

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

Condition 3: Capping Monitoring Condition
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3.1:

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

6 NYCRR Subpart 201-6

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.

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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: 007446-09-5 SULFUR DIOXIDE

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 sulfur dioxide (SO₂) must not exceed 98 tons per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of SO₂ 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. Emissions from the diesel generator must be calculated based on the monthly diesel fuel consumption in the generator. SO₂ emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners and generator engine, 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 the monthly quantity of diesel fuel combusted in the generator. Emissions calculations must document the source of each emission factor used. Records of HMA production, generator fuel usage, emission factor documentation, and emissions calculations must be maintained by the facility owner or operator for at least five years and made

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available to the Department upon request.

Parameter Monitored: SULFUR DIOXIDE
 Upper Permit Limit: 98 tons per year
 Monitoring Frequency: MONTHLY
 Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2024.
 Subsequent reports are due every 12 calendar month(s).

Condition 4: Capping Monitoring Condition
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 4.1:

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

6 NYCRR Subpart 201-6

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):

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CAS No: 0NY998-00-0 VOC

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 volatile organic compounds (VOCs) must not exceed 48 tons per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of VOCs 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. Emissions from the diesel generator must be calculated based on the monthly diesel fuel consumption in the generator. VOC emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners and generator engine, 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 the monthly quantity of diesel fuel combusted in the generator. Emissions calculations must document the source of each emission factor used. Records of HMA production, generator fuel usage, 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: 48 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2024.

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

Condition 5: Capping Monitoring Condition

Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

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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 otherwise be subject to:

6 NYCRR Subpart 201-6

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: 000630-08-0 CARBON MONOXIDE

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 carbon monoxide (CO) must not exceed 98 tons per year on a twelve-month rolling basis.

To demonstrate compliance with this limit, actual facility emissions of CO must be calculated monthly and

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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. Emissions from the diesel generator must be calculated based on the monthly diesel fuel consumption in the generator. CO emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners and generator engine, 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 the monthly quantity of diesel fuel combusted in the generator. Emissions calculations must document the source of each emission factor used. Records of HMA production, generator fuel usage, 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: CARBON MONOXIDE
Upper Permit Limit: 98 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2024.
Subsequent reports are due every 12 calendar month(s).

Condition 6: Capping Monitoring Condition
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR Subpart 201-7

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 Subpart 201-6

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

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

Item 6.4:

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 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: 0NY075-02-5 PM 2.5

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 PM-2.5 must not exceed 98 tons 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 per plant per fuel fired in the burner. Emissions from the diesel generator must be calculated based on the monthly diesel fuel consumption in the generator. PM-2.5 emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners and generator engine, 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, the monthly quantity of diesel fuel combusted in the generator, and monthly throughput in the aggregate plants. Emissions calculations must document the source of each emission factor used. Records of HMA production, generator

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fuel usage, aggregate throughput, 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: 98 tons per year
 Monitoring Frequency: MONTHLY
 Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2024.
 Subsequent reports are due every 12 calendar month(s).

Condition 7: Capping Monitoring Condition
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR Subpart 201-7

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 Subpart 201-6

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.

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Item 7.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

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 PM-10 must not exceed 98 tons 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. Emissions from the diesel generator must be calculated based on the monthly diesel fuel consumption in the generator. PM-10 emission factors used in the emissions calculations must be based on guaranteed manufacturer data for the HMA plant burners and generator engine, 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, the monthly quantity of diesel fuel combusted in the generator, and monthly throughput in the aggregate plants. Emissions calculations must document the source of each emission factor used. Records of HMA production, generator fuel usage, aggregate throughput, 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-10

Upper Permit Limit: 98 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2024.

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

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Condition 8: Visible Emissions Limited
 Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR 211.2

Item 8.1:

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 9: Compliance Demonstration
 Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 9.1:

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

Emission Unit: U-M5001

Emission Unit: U-TD001

Regulated Contaminant(s):
 CAS No: 000000-23-4 PAH, TOTAL

Item 9.2:

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 PAHs must comply with the air cleaning requirements under Table 4 to 6 NYCRR 212-2.3(b). PAHs have been assigned an Environmental Rating of "A" and the PAH 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 PAHs must meet the annual guideline concentration (AGC) under NYSDEC Program Policy DAR-1. Therefore, the ambient PAH concentration must not exceed 0.02 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 PAH concentration (in micrograms per cubic meter) on a monthly basis. The annually averaged ambient

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concentration must be calculated based on the 12-month rolling annual PAH 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:

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

where,

PAH Conc. = Annually averaged ambient PAH 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 [micrograms/cubic meter]

PAH Emissions = 12-month rolling annual PAH emissions from each HMA plant [lbs/year]

The total annual PAH concentration from the facility will be the sum of the concentrations from each HMA plant. Facility emissions of PAH 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. PAH 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, PAH emissions calculations, and ambient PAH concentrations must be maintained by the facility owner or operator for at least five years and made available to the Department upon request. PAH is the most restrictive air contaminant 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: PAH, TOTAL

Upper Permit Limit: 0.02 micrograms per cubic meter

Monitoring Frequency: MONTHLY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 10: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

Permit ID: 8-3236-00005/02002

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

Item 10.1:

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

Emission Unit: U-M5001 Process: M5G	Emission Source: M50BH
Emission Unit: U-M5001 Process: M5W	Emission Source: M50BH
Emission Unit: U-M5001 Process: MSF	Emission Source: M50BH
Emission Unit: U-TD001 Process: TDF	Emission Source: TD0BH
Emission Unit: U-TD001 Process: TDG	Emission Source: TD0BH

Item 10.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

To ensure particulate emissions from the hot-mix asphalt plants meet the grain loading standard under 6 NYCRR 212-2.5(b), the pressure drop across the baghouse must be maintained at or between 2 and 8 inches of water.

To demonstrate compliance with this limit, the facility must monitor the pressure drop across the baghouse on a daily basis while the plan is operating. Any records showing a pressure drop outside of the allowable range must be investigated to determine the cause of the deviation. The facility must document their finds and any corrective actions taken.

Records of daily pressure drop readings, observed deviations, and corrective actions must be kept on site for at least five years and be made available to the Department upon request.

Parameter Monitored: PRESSURE DROP
Lower Permit Limit: 2 inches of water
Upper Permit Limit: 8 inches of water
Monitoring Frequency: DAILY
Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED RANGE AT ANY TIME
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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Condition 11: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 11.1:

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

Emission Unit: U-M5001 Process: M5G	Emission Source: M50BH
Emission Unit: U-M5001 Process: M5W	Emission Source: M50BH
Emission Unit: U-M5001 Process: MSF	Emission Source: M50BH
Emission Unit: U-TD001 Process: TDF	Emission Source: TD0BH
Emission Unit: U-TD001 Process: TDG	Emission Source: TD0BH

Item 11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To ensure particulate emissions from the hot-mix asphalt plants meet the grain loading standard under 6 NYCRR 212-2.5(b), the facility owner or operator must conduct an internal visual inspection of the baghouse tube sheet and internal structure on an annual basis.

Corrective actions required based on inspection results shall be taken as soon as physically possible and the Department must be notified if corrective actions take more than one calendar day to complete. The facility must keep record of inspections, issues found, and corrective actions taken for at least five years. Records shall be made available to the Department upon request.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 12: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

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

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Item 12.1:

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

Emission Unit: U-M5001 Emission Point: M5001

Emission Unit: U-TD001 Emission Point: TD001

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

Item 12.2:

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: 0.03 grains per dscf
Reference Test Method: EPA Method 5
Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 13: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 13.1:

The Compliance Demonstration activity will be performed for the Facility.

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Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

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 14: Compliance Demonstration

Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 14.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 14.2:

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

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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

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

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

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

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

Applicable Federal Requirement:6 NYCRR 225-2.5

Item 16.1:

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

Emission Unit: U-M5001

Process: M5W

Item 16.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

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

Applicable Federal Requirement: 6 NYCRR 225-2.5

Item 17.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-M5001

Process: M5W

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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of waste oil received or maintain copies of supplier analyses of each load received.

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

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

Condition 18: Compliance Demonstration
 Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR 225-2.5

Item 18.1:

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

Emission Unit: U-M5001
 Process: M5W

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 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

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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 19: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR 225-2.5

Item 19.1:

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

Emission Unit: U-M5001
 Process: M5W

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 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

Permit ID: 8-3236-00005/02002

Facility DEC ID: 8323600005

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 20: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement: 6 NYCRR 225-2.5

Item 20.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-M5001

Process: M5W

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 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

Permit ID: 8-3236-00005/02002

Facility DEC ID: 8323600005

Condition 21: Compliance Demonstration

Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR 225-2.5

Item 21.1:

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

Emission Unit: U-M5001
Process: M5W

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 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 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 22: Compliance Demonstration

Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:6 NYCRR 225-2.5

Item 22.1:

The Compliance Demonstration activity will be performed for the facility:

Permit ID: 8-3236-00005/02002

Facility DEC ID: 8323600005

The Compliance Demonstration applies to:

Emission Unit: U-M5001

Process: M5W

Item 22.2:

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 TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 23: Applicability of Subpart A General Provisions
Effective between the dates of 02/17/2023 and 02/16/2033**

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 23.1:

This Condition applies to:

Emission Unit: UM5001

Emission Unit: UMAAGG

Emission Unit: UTD001

Permit ID: 8-3236-00005/02002

Facility DEC ID: 8323600005

Item 23.2:

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 24: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 24.1:

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

Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG09
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG10
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG11
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG12
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG13
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG14
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG15
Regulated Contaminant(s): CAS No: 0NY075-00-0	PARTICULATES

Item 24.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

For grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations at nonmetallic mineral processing plants subject to 40 CFR 60, Subpart OOO which began construction or modification after April 22, 2008, fugitive emissions are limited to a maximum of 7 percent opacity on a six-minute average basis.

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To demonstrate compliance with this limit, the facility owner or operator must conduct an initial Method 9 opacity test on or after the sixtieth day after achieving the maximum production rate, but not later than 180 days after initial startup, as required under 40 CFR Part 60.11.

For facilities that do not use water sprays to control fugitive emissions from affected sources, the facility owner or operator must conduct a Method 9 opacity test once every five years to demonstrate continuous compliance with this standard. The five-year testing timeframe is based on the date the previous test was completed.

Fugitive emissions from affected sources controlled using water sprays (or carryover from upstream water spray systems) that are inspected in accordance with the requirements of 40 CFR 60.674(b) specified elsewhere in this permit are exempt from the the five-year repeat testing requirement.

Method 9 opacity tests conducted to demonstrate compliance with this standard must follow the applicable procedures in 40 CFR 60.675(c) as described elsewhere in this permit. The Department may request that the facility owner or operator conduct a Method 9 opacity test at any time.

Parameter Monitored: OPACITY
Upper Permit Limit: 7 percent
Reference Test Method: EPA Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 25: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 25.1:
The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: U-MAAGG
Process: AGM Emission Source: MAG08

Emission Unit: U-MAAGG
Process: AGM Emission Source: MAG16

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Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG17
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG18
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG19
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG20
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG21
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG22
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG23
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG24
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG25
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG26
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG27
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG28
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG29
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG30
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG31
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG32
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG33

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Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG34
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG35
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG36
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG37
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG38
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG39
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG40
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG41
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG42
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG43
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG44
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG45
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG46
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG47
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG48
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG49
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG50
Emission Unit: U-MAAGG	

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Process: AGM	Emission Source: MAG51
Emission Unit: U-MAAGG	
Process: AGM	Emission Source: MAG52
Emission Unit: U-MAAGG	
Process: AGM	Emission Source: MAG53
Regulated Contaminant(s):	
CAS No: 0NY075-00-0	PARTICULATES

Item 25.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

For grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations at nonmetallic mineral processing plants subject to 40 CFR 60, Subpart OOO which commenced construction before April 22, 2008, fugitive emissions are limited to a maximum of 10 percent opacity on a six-minute average basis.

To demonstrate compliance with this limit, the facility owner or operator must conduct a Method 9 opacity test upon request by the Department. Method 9 opacity tests conducted to demonstrate compliance with this standard must follow the applicable procedures in 40 CFR 60.675(c) as described elsewhere in this permit.

Parameter Monitored: OPACITY
Upper Permit Limit: 10 percent
Reference Test Method: EPA Method 9
Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 26: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 26.1:

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

Emission Unit: U-MAAGG	
Process: AGM	Emission Source: MAG01

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Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG02
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG03
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG04
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG05
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG06
Emission Unit: U-MAAGG Process: AGM	Emission Source: MAG07

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

Item 26.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

For crushers located at nonmetallic mineral processing plants subject to 40 CFR 60, Subpart OOO which commenced construction before April 22, 2008, fugitive emissions are limited to a maximum of 15 percent opacity on a six-minute average basis.

To demonstrate compliance with this limit, the facility owner or operator must conduct a Method 9 opacity test upon request by the Department. Method 9 opacity tests conducted to demonstrate compliance with this standard must follow the applicable procedures in 40 CFR 60.675(c) as described elsewhere in this permit.

Parameter Monitored: OPACITY
Upper Permit Limit: 15 percent
Reference Test Method: EPA Method 9
Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 27: Reporting and Recordkeeping for Replacement of Equipment Effective between the dates of 02/17/2023 and 02/16/2033

Permit ID: 8-3236-00005/02002

Facility DEC ID: 8323600005

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

Item 27.1:

This Condition applies to:

Emission Unit: UMAAGG

Item 27.2:

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:

(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 28: Compliance Demonstration

Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 28.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-MAAGG

Item 28.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All items listed in 60.676(a) shall be reported no later than 60 days before actual reconstruction or replacement commences.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 29: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:40CFR 63, Subpart A

Item 29.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 29.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This facility is subject to the applicable general provisions of 40 CFR 63, Subpart A. The facility owner or operator is responsible for complying with all applicable technical, administrative and reporting requirements.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 30: Applicability
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 30.1:

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

**** Emission Unit Level ****

Condition 31: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

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

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Item 31.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-MAAGG

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 31.2:

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: UPON REQUEST BY REGULATORY AGENCY

**Condition 32: Modifications to opacity observation techniques
Effective between the dates of 02/17/2023 and 02/16/2033**

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

Item 32.1:

This Condition applies to Emission Unit: U-MAAGG

Item 32.2:

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 40 CFR 60.11, with

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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 33: Method 9 Opacity Observation Time
Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 33.1:

This Condition applies to Emission Unit: U-MAAGG

Item 33.2:

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

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STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

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

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

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

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

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

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with 6 NYCRR Part 616 - Public Access to Records.
Facility owners and/or operators must submit the records
required to comply with the request within sixty working
days of written notification by the Department.

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 34: Contaminant List

Effective between the dates of 02/17/2023 and 02/16/2033

Applicable State Requirement: ECL 19-0301

Item 34.1:

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

CAS No: 000000-23-4

Name: PAH, TOTAL

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

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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: 0NY210-00-0
Name: OXIDES OF NITROGEN

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

Condition 35: Malfunctions and Start-up/Shutdown Activities
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable State Requirement:6 NYCRR 201-1.4

Item 35.1:

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

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

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, the air contaminants emitted, and the resulting emission rates and/or opacity.

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

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or

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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 36: Emission Unit Definition
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 36.1:

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

Emission Unit: P-PORAG

Emission Unit Description:

This emission unit consists of portable aggregate processing plant that includes multiple crushers, screens, and conveyors. A permit exempt 200-hp diesel-fired generator subject to 40 CFR 63, Subpart ZZZZ is used to power the plant.

Item 36.2:

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

Emission Unit: U-M5001

Emission Unit Description:

This emission unit consists of a 5-ton Cedar Rapids batch hot-mix asphalt (HMA) plant equipped with a Hauck Ecostar II 100B low-NOx burner capable of burning natural gas, No. 2 fuel oil, and waste fuel A. This plant is used for batch production of HMA and equipped with a baghouse for particulate emissions control.

Item 36.3:

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

Emission Unit: U-MAAGG

Emission Unit Description:

This emission unit consists of an aggregate processing plant subject to 40 CFR 60, Subpart OOO that includes multiple crushers, screens and conveyors. All emissions are fugitive and are controlled by a water spray system. The processing plant is powered by line power.

Item 36.4:

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

Emission Unit: U-TD001

Emission Unit Description:

This emission unit consists of a 350 tph Cedar Rapids drum hot-mix asphalt (HMA) plant equipped with a Gencor Ultra II-100 low-NOx burner capable of burning either

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natural gas or No. 2 fuel oil. This plant is used for continuous production of HMA and equipped with a baghouse for particulate emissions control.

Condition 37: Renewal deadlines for state facility permits
Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 37.1:

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 38: CLCPA Applicability
Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 38.1:

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 39: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

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

Item 39.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 39.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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Condition 40: Air pollution prohibited
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable State Requirement:6 NYCRR 211.1

Item 40.1:

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

Condition 41: Compliance Demonstration
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable State Requirement:6 NYCRR 212-1.6 (a)

Item 41.1:

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

Emission Unit: P-PORAG

Emission Unit: U-M5001 Emission Point: M5001

Emission Unit: U-TD001 Emission Point: TD001

Item 41.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

The facility owner or operator shall conduct a visible emissions observation of sources 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.

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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 source, 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.

The facility owner or operator must document that the daily visible emissions observation was performed and whether any issues were observed. If any issues are observed during the daily check or at any other time while in operation, the facility owner or operator must document the issue, follow-up Method 9 tests, investigations, and corrective actions taken, as necessary. Records of follow-up actions must include the date and time of each observation, weather conditions, results of the observation, corrective actions, and explanations for days when weather conditions were prohibitive.

Records must be kept for a period of at least five years and be made available to the Department upon request.

Parameter Monitored: OPACITY
 Upper Permit Limit: 20 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

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

Condition 42: Emission Point Definition By Emission Unit
Effective between the dates of 02/17/2023 and 02/16/2033

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 42.1:

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

Emission Unit: U-M5001

Emission Point: M5001

Permit ID: 8-3236-00005/02002

Facility DEC ID: 8323600005

Height (ft.): 36 Diameter (in.): 62
NYTMN (km.): 4758.42 NYTME (km.): 322.23

Item 42.2:

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

Emission Unit: U-TD001

Emission Point: TD001

Height (ft.): 35 Length (in.): 50 Width (in.): 34
NYTMN (km.): 4758.421 NYTME (km.): 322.23

**Condition 43: Process Definition By Emission Unit
Effective between the dates of 02/17/2023 and 02/16/2033**

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 43.1:

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

Emission Unit: P-PORAG

Process: PAG Source Classification Code: 3-05-040-30

Process Description:

Aggregate processing in a portable processing plant consisting of a crusher, screen, and conveyors. All emissions are fugitive and controlled by a water spray system and moisture from the previous control point.

Emission Source/Control: POR02 - Process
Design Capacity: 250 tons per hour

Emission Source/Control: POR03 - Process
Design Capacity: 250 tons per hour

Emission Source/Control: POR04 - Process
Design Capacity: 130 tons per hour

Emission Source/Control: POR05 - Process
Design Capacity: 130 tons per hour

Emission Source/Control: POR06 - Process
Design Capacity: 130 tons per hour

Emission Source/Control: POR07 - Process
Design Capacity: 130 tons per hour

Item 43.2:

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

Emission Unit: U-M5001

Process: M5G Source Classification Code: 3-05-002-01

Process Description:

Permit ID: 8-3236-00005/02002

Facility DEC ID: 8323600005

Process: AGM

Source Classification Code: 3-05-040-30

Process Description:

Processing of aggregate in the main processing plant consisting of multiple crushers, screens and conveyors. All emissions are fugitive and are controlled by water spray nozzles and moisture from the previous control point.

Emission Source/Control: MAG01 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG02 - Process
Design Capacity: 300 tons per hour

Emission Source/Control: MAG03 - Process
Design Capacity: 250 tons per hour

Emission Source/Control: MAG04 - Process
Design Capacity: 250 tons per hour

Emission Source/Control: MAG05 - Process
Design Capacity: 250 tons per hour

Emission Source/Control: MAG06 - Process
Design Capacity: 130 tons per hour

Emission Source/Control: MAG07 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: MAG08 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG09 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG10 - Process
Design Capacity: 250 tons per hour

Emission Source/Control: MAG11 - Process
Design Capacity: 250 tons per hour

Emission Source/Control: MAG12 - Process
Design Capacity: 250 tons per hour

Emission Source/Control: MAG13 - Process
Design Capacity: 130 tons per hour

Emission Source/Control: MAG14 - Process
Design Capacity: 130 tons per hour

Emission Source/Control: MAG15 - Process
Design Capacity: 130 tons per hour

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Emission Source/Control: MAG16 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: MAG17 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: MAG18 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: MAG19 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: MAG20 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: MAG21 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: MAG22 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG23 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG24 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG25 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG26 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG27 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG28 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG29 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG30 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG31 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG32 - Process
Design Capacity: 550 tons per hour

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Emission Source/Control: MAG33 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG34 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG35 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG36 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG37 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG38 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG39 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG40 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG41 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG42 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG43 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG44 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG45 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG46 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG47 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG48 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG49 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG50 - Process

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Design Capacity: 550 tons per hour

Emission Source/Control: MAG51 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG52 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: MAG53 - Process
Design Capacity: 550 tons per hour

Item 43.6:

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

Emission Unit: U-TD001
Process: TDF Source Classification Code: 3-05-002-01
Process Description:
Production of hot-mix asphalt (HMA) in a 350 tph drum plant while firing No. 2 fuel oil.

Emission Source/Control: TD0BH - Control
Control Type: FABRIC FILTER

Emission Source/Control: TD001 - Process
Design Capacity: 350 tons per hour

Item 43.7:

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

Emission Unit: U-TD001
Process: TDG Source Classification Code: 3-05-002-01
Process Description:
Production of hot-mix asphalt (HMA) in a 350 tph drum plant while firing natural gas.

Emission Source/Control: TD0BH - Control
Control Type: FABRIC FILTER

Emission Source/Control: TD001 - Process
Design Capacity: 350 tons per hour

Permit ID: 8-3236-00005/02002

Facility DEC ID: 8323600005