

Facility DEC ID: 8342200007

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 8-3422-00007/00015
Effective Date: 12/09/2025 Expiration Date: 12/08/2035

Permit Issued To: KEELER CONSTRUCTION CO., INC.
13519 W LEE RD
ALBION, NY 14411-9210

Contact: GREG ROSE
BARRE STONE PRODUCTS INC
14120 W LEE RD
ALBION, NY 14411

Facility: WILSON QUARRY
14120 W LEE RD
BARRE, NY

Contact: GREG ROSE
BARRE STONE PRODUCTS INC
14120 W LEE RD
ALBION, NY 14411

Description:

Renewal for the Air State Facility permit for the Keeler Construction Co., Inc. Wilson Quarry located at 13519 W lee Rd, Albion, NY. The facility operates a 6-ton asphalt mixture manufacturing batch plant and a nonmetallic mineral processing operation.

The facility consists of four (4) Emission Units. 1-PLANT corresponds to the asphalt mixture batch plant that has the capability to fire natural gas or No. 2 fuel oil. The Emission Unit is equipped with one (1) low-NOx burner and one (1) exempt burner rated at less than 10 MMBtu/hr connected to the hot oil heater. 1-PLANT is subject to the applicable requirements under 6-NYCRR Part 220-3.

Emission units 2-CRUSH and 3-SCREE correspond to the nonmetallic mineral processing operations. 2-CRUSH and 3-SCREE are both subject to the applicable requirements under 40 CFR Part 60, Subpart OOO. Emission unit 5-GENST powers the stone crushing operations. 5-GENST is subject to the applicable requirements under 40 CFR Part 63, Subpart ZZZZ and 6 NYCRR Part 227.

This renewal retains federally enforceable emissions caps to limit facility emissions of Carbon Monoxide (CO), Particulates, and Nitrogen Oxides (NOx) 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: FRANCES KNICKMEYER
 NYS DEC
 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

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Permit Issued To: KEELER CONSTRUCTION CO., INC.
13519 W LEE RD
ALBION, NY 14411-9210

Facility: WILSON QUARRY
14120 W LEE RD
BARRE, NY

Authorized Activity By Standard Industrial Classification Code:
2951 - PAVING MIXTURES AND BLOCKS
1422 - CRUSHED AND BROKEN LIMESTONE
1442 - CONSTRUCTION SAND AND GRAVEL

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 2/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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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: 0NY075-00-0 PARTICULATES

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, the facility's total Particulate emissions shall not exceed 196,000 pounds per year based on a 12 month total rolled monthly average.

To demonstrate compliance with this limit, particulate emissions for each diesel power unit shall be calculated based on monthly hours of operation and the manufacturer's emission specifications. Particulate Emissions from the onsite stone plant will be calculated based on monthly tons of aggregate produced using emissions factors from AP-42 or other emission factors acceptable to the Department. Asphalt mixture manufacturing plant particulate emissions shall be based on manufacturer's guarantees, appropriate AP-42 emission factors for each fuel fired that month, or other emission factors acceptable to the Department.

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On an annual basis, the facility owner or operator must submit an Annual Capping Report for the prior calendar reporting year on January 30.

The following records must be maintained for a period of at least five years and made available to the Department upon request:

- 1) Emissions calculations,
- 2) Emission factor documentation,
- 3) Monthly tons of asphalt mixture produced per plant per fuel,
- 4) Monthly quantity of diesel fuel combusted in the generator, and
- 5) Submitted capping certification reports.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 196000 pounds per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2026.

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

Condition 3: Capping Monitoring Condition
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 3.1:

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

6 NYCRR 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.

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

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5) Submitted capping certification reports.

Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 196000 pounds per year
 Monitoring Frequency: MONTHLY
 Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2026.
 Subsequent reports are due every 12 calendar month(s).

Condition 4: Capping Monitoring Condition
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement: 6 NYCRR 201-7.1

Item 4.1:

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

6 NYCRR 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.

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

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, the facility's total CO emissions shall not exceed 196,000 pounds per year based on a 12 month total rolled monthly average.

To demonstrate compliance with this limit, CO emissions from the onsite stone plant will be calculated based on monthly tons of aggregate produced using emissions factors from AP-42 or other emission factors acceptable to the Department. Asphalt mixture manufacturing plant CO emissions shall be based on manufacturer's guarantees, appropriate AP-42 emission factors for each fuel fired that month, or other emission factors acceptable to the Department.

On an annual basis, the facility owner or operator must submit an Annual Capping Report for the prior calendar reporting year on January 30.

The following records must be maintained for a period of at least five years and made available to the Department upon request:

- 1) Emissions calculations,
- 2) Emission factor documentation,
- 3) Monthly tons of asphalt mixture produced per plant per fuel,
- 4) Monthly quantity of diesel fuel combusted in the generator, and
- 5) Submitted capping certification reports.

Parameter Monitored: CARBON MONOXIDE
 Upper Permit Limit: 196000 pounds per year
 Monitoring Frequency: MONTHLY
 Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2026.
 Subsequent reports are due every 12 calendar month(s).

Condition 5: Visible Emissions Limited
Effective between the dates of 12/09/2025 and 12/08/2035

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Applicable Federal Requirement:6 NYCRR 211.2

Item 5.1:

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 6: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:6 NYCRR 211.2

Item 6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No waste oil is to be used for fugitive dust control.
Plant roadways and stockpiles must be watered and/or treated with an approved dust suppressant, as appropriate, and speed limited to preclude emissions of dust which is determined to be in violation of 6 NYCRR 211.2 which states:

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.

If complaints of current excess dust are received, then the facility must immediately apply corrective measure, as necessary to comply with the requirements of 6 NYCRR 211.2 as noted above. A log of any complaints received must be kept in a bound logbook or other format acceptable to the Department.

The following data must be recorded for each observation:

The date and time of the complaint,
The name, address and phone # of the complainant (if given),
The complainants description of the complaint,

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The facility's evaluation of the complaint, and
The corrective measures taken.

This logbook must be retained at the facility for five (5)
years after the date of the last entry.

If complaints are received on more than one day per seven
day period, then the owner or facility representative
shall notify the Department by the next business day
(Monday thru Friday) of these complaints.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 7: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement: 6 NYCRR 220-3.3 (a)

Item 7.1:

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

Emission Unit: 1-PLANT

Item 7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of an Asphalt Mixture Manufacturing
Plant shall record the following information once daily,
as applicable, for each Asphalt Mixture Processing Unit
during operation in a calendar year:

- (1) Tons produced of asphalt mixture;
- (2) RAP used in tons of material;
- (3) Recorded hours of burner operation;
- (4) Baghouse differential pressure;
- (5) Warm mix tons produced;
- (6) Amount of fuel consumed;
- (7) Type of fuel consumed;
- (8) Instantaneous visual stack opacity reading by a
trained employee that fulfills the requirements of 40 CFR
Part 60, Appendix A-4, Method 9;
- (9) Typical stack temperature during operations;
- (10) RAP moisture content; and
- (11) Maintain annual records of Visible Emissions
(Opacity) Training.

These records shall be maintained on site for at least two
years after issuance of the permit and may be stored
offsite (including electronic storage) afterwards for the

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life of the permit. Access to such offsite records must be made available in a timely manner if requested by the Department.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 8: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:6 NYCRR 220-3.3 (b)

Item 8.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As of the effective date of this Subpart, an annual service must be performed by a qualified employee or vendor on the dryer burner of any Asphalt Mixture Processing Unit that is in operation during that calendar year.

All annual service records shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the Department.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 9: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:6 NYCRR 220-3.3 (b)

Item 9.1:

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

Emission Unit: 1-PLANT

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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The owner or operator shall:

(i) perform an annual visual inspection of baghouse tubesheet and internal structure. Record findings and any corrective actions.

(ii) replacement bags for the baghouse shall be kept on site with the minimum capability of at least a 20% bag change out. Record changed bag locations on baghouse tube map.

The owner or operator shall inspect all ductwork for leaks and perform needed maintenance prior to operating during the asphalt production season.

The owner or operator shall maintain annual records of baghouse and ductwork inspections.

All of these records shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the Department.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 10: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement: 6 NYCRR 220-3.3 (b)

Item 10.1:

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

Emission Unit: 1-PLANT

Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As of the effective date of this Subpart, an annual tune-up must be performed by a qualified employee or vendor on the hot oil heater located at any Asphalt Manufacturing Plant that is in operation during that calendar year.

All annual tune-up records shall be maintained on site for at least two years after issuance of the permit and may be

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available in a timely manner if requested by the department.

Parameter Monitored: PARTICULATES
 Upper Permit Limit: 0.030 grains per dscf
 Reference Test Method: Method 5 and Method 202
 Monitoring Frequency: ONCE EVERY TEN YEARS
 Averaging Method: 1-HOUR AVERAGE
 Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 13: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement: 6 NYCRR 220-3.5 (b)

Item 13.1:

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

Emission Unit: 1-PLANT Emission Point: 001A1
 Process: P01

Regulated Contaminant(s):
 CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of any existing distillate oil fired aggregate dryer must submit, at least thirty (30) calendar days prior to commencing an emission test, a test protocol to the department for review and approval. The owner or operator must submit a complete test report to the department no later than sixty (60) calendar days after completion of the on-site testing.

Monitoring records stating the following information shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the department.

Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 0.173 pounds per million Btus
 Reference Test Method: Method 7
 Monitoring Frequency: ONCE EVERY TEN YEARS
 Averaging Method: 1-HOUR AVERAGE
 Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Permit ID: 8-3422-00007/00015

Facility DEC ID: 8342200007

Condition 14: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:6 NYCRR 220-3.5 (b)

Item 14.1:

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

Emission Unit: 1-PLANT Emission Point: 001A1
Process: P01

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of any existing natural gas/propane fired aggregate dryer must submit, at least thirty (30) calendar days prior to commencing an emission test, a test protocol to the department for review and approval. The owner or operator must submit a complete test report to the department no later than sixty (60) calendar days after completion of the on-site testing.

Monitoring records stating the following information shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the department.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.096 pounds per million Btus
Reference Test Method: Method 7
Monitoring Frequency: ONCE EVERY TEN YEARS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 15: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:6 NYCRR 220-3.8

Item 15.1:

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

Permit ID: 8-3422-00007/00015

Facility DEC ID: 8342200007

Emission Unit: 1-PLANT

Item 15.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No facility owner or operator shall cause or allow emissions to exceed an average opacity of 20 percent or greater during any six consecutive minutes from any process emission source or emission point.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 16: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement: 6 NYCRR 220-3.9 (c)

Item 16.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-PLANT

Item 16.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall conduct a burner tuning procedure in accordance with the manufacturer's specifications to minimize NO_x and carbon monoxide (CO) emissions each calendar year.

The following information shall be monitored and recorded:

- (i) the date of the tuning procedure;
- (ii) the name of the servicing company/qualified internal staff/technician;
- (iii) the production rate (tons/hr) or load before and after tuning;
- (iv) the NO_x and CO concentrations (ppmvd @ 3% O₂) before and after tuning; and

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(v) the percent O2 before and after tuning.

Records of this information shall be maintained on site for at least two years after issuance of the permit and may be stored offsite (including electronic storage) afterwards for the life of the permit. Access to such offsite records must be made available in a timely manner if requested by the Department.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 17: Minimization of Fugitive Dust Emissions.
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement: 6 NYCRR 220-3.10

Item 17.1:

(a) Site Roadways and Plant Property:

(1) Dust on the site roadways and plant property shall be controlled by applications of water, calcium chloride or other acceptable and approved fugitive dust control compound. Application of dust suppressants shall be completed often enough to prevent dust emissions from leaving the plant property.

(2) All paved areas shall be swept and treated with water, as needed, to reduce dust.

(3) Any aggregate, RAP, or other materials used to manufacture asphalt mixture that is spilled on site roads shall be cleaned up to avoid tracking onto public roadways.

(4) The potential for dust to be tracked out to public roadways shall be minimized by implementing the procedures cited in paragraph (1) of this subdivision, along with any other reasonable procedure(s).

(b) Asphalt Mixture Processing Units:

(1) The drop distance at each location where asphalt is exposed to the air must be reduced to the minimum that the equipment can achieve and allow for proper operation to comply with the opacity requirements in section 220-3.8 of this Subpart.

(2) The transfer point where the belt feeder transfers aggregate or RAP from its bin onto a belt conveyor to the aggregate dryer shall be equipped, where it does not unreasonably interfere with production, with an enclosed chute, within 1 year of the effective date of this Subpart.

(c) Storage Piles. Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.

(d) Vehicles:

(1) Vehicles shall be loaded to prevent their contents from dropping, leaking, blowing or otherwise escaping.

(2) Trucks shall always be tarped unless loading and unloading.

(3) A speed limit sign of 15 miles-per-hour or lower shall apply to onsite traffic and be posted so that it is visible to truck operators.

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(e) Fugitive Dust Corrective Actions. When corrective action needs to be taken, the permittee shall consider and use one or more of the following options: adjust the watering and/or sweeping frequencies, reduce drop distances, increase coverings, and/or take other appropriate actions to reduce fugitive dust emissions.

Condition 18: Test methods and procedures
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:40CFR 60.675, NSPS Subpart OOO

Item 18.1:

The owner or operator shall determine initial compliance using the test methods and procedures as required in section 40 CFR 60-000.675 and 40 CFR 60 Appendix A.

Condition 19: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:40CFR 60.676, NSPS Subpart OOO

Item 19.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 19.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator seeking to comply with the replacement provisions specified in §60.670(d) shall submit the following information about the existing facility being replaced and/or the replacement piece of equipment (§60.676(a)):

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:

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modification or reconstruction after April 22, 2008 shall be limited to 12 percent opacity. In determining compliance with this opacity limit, Method 9 of Appendix A-4 to 40 CFR Part 60 and the procedures of 40 CFR 60.11 shall be used to determine opacity, with the additions specified in 40 CFR 60.675(c). The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.

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

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

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

Daily records of the visible emissions observations and any Method 9 observations, investigations, and corrective actions are to be maintained on site for a period of at least 5 years from the date of the record. Such records shall include the date and time of each observation, weather conditions, results of the observation, corrective actions taken, and explanations for days when weather conditions were prohibitive.

Parameter Monitored: OPACITY

Upper Permit Limit: 12 percent

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 22: Compliance Demonstration

Effective between the dates of 12/09/2025 and 12/08/2035

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

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Item 22.1:

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

Emission Unit: 2-CRUSH Process: P02	Emission Source: 00CR7
Emission Unit: 2-CRUSH Process: P02	Emission Source: 00CR8
Emission Unit: 2-CRUSH Process: P02	Emission Source: 00CR9
Emission Unit: 2-CRUSH Process: P02	Emission Source: 00WS1
Regulated Contaminant(s): CAS No: 0NY075-00-0 PARTICULATES	

Item 22.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from crushers subject to the requirements of Table 3 to Subpart OOO at which a capture system is not used that commenced construction, modification or reconstruction after August 31, 1983 but before April 22, 2008 shall be limited to 15 percent opacity. In determining compliance with this opacity limit, Method 9 of Appendix A-4 to 40 CFR Part 60 and the procedures of 40 CFR 60.11 shall be used to determine opacity, with the additions specified in 40 CFR 60.675(c). The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.

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

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

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visible emissions.

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

Daily records of the visible emissions observations and any Method 9 observations, investigations, and corrective actions are to be maintained on site for a period of at least 5 years from the date of the record. Such records shall include the date and time of each observation, weather conditions, results of the observation, corrective actions taken, and explanations for days when weather conditions were prohibitive.

Parameter Monitored: OPACITY

Upper Permit Limit: 15 percent

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

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

Item 23.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-CRUSH

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

The owner/operator must initiate corrective action within 24 hours and complete the corrective action as expediently

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as practical if the owner/operator finds that water is not flowing properly during an inspection of the water spray nozzles.

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

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

Monitoring Frequency: MONTHLY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 24: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:40CFR 60.674(b)(1), NSPS Subpart OOO

Item 24.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-CRUSH

Item 24.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If an affected facility relies on water carryover from upstream water sprays to control fugitive emissions, then that affected facility is exempt from the 5-year repeat testing requirement specified in Table 3 of subpart OOO provided that the facility meets the following criteria:

- i) The owner/operator of the affected facility conducts periodic inspections of the upstream water spray(s) that are responsible for controlling fugitive emissions from the affected facility. These inspections are conducted according to the procedures in §60.676(b) and 60.674(b), and
- ii) The owner/operator of the affected facility designates which upstream water spray(s) will be periodically inspected at the time of the initial performance test required under §60.11 and 60.675.

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visible emissions.

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

Daily records of the visible emissions observations and any Method 9 observations, investigations, and corrective actions are to be maintained on site for a period of at least 5 years from the date of the record. Such records shall include the date and time of each observation, weather conditions, results of the observation, corrective actions taken, and explanations for days when weather conditions were prohibitive.

Parameter Monitored: OPACITY

Upper Permit Limit: 7 percent

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 26: Compliance Demonstration

Effective between the dates of 12/09/2025 and 12/08/2035

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: 3-SCREE
Process: P03

Emission Source: 00SC1

Emission Unit: 3-SCREE
Process: P03

Emission Source: 00SC2

Emission Unit: 3-SCREE
Process: P03

Emission Source: 00SC3

Emission Unit: 3-SCREE
Process: P03

Emission Source: 00WS2

Emission Unit: 3-SCREE
Process: P03

Emission Source: 0CON1

Emission Unit: 3-SCREE
Process: P03

Emission Source: 0CON2

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Emission Unit: 3-SCREE Process: P03	Emission Source: 0CON3
Emission Unit: 3-SCREE Process: P03	Emission Source: 0CON4
Emission Unit: 3-SCREE Process: P03	Emission Source: 0CON5
Emission Unit: 3-SCREE Process: P03	Emission Source: 0CON6
Emission Unit: 3-SCREE Process: P03	Emission Source: CON27
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:

Fugitive emissions from sources subject to the requirements of Table 3 to Subpart OOO that commenced construction, modification or reconstruction after August 31, 1983 but before April 22, 2008 shall be limited to 10 percent opacity. In determining compliance with this opacity limit, Method 9 of Appendix A-4 to 40 CFR Part 60 and the procedures of 40 CFR 60.11 shall be used to determine opacity, with the additions specified in 40 CFR 60.675(c). The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance must be based on the average of the five 6-minute averages.

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

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

The facility owner or operator must conduct a Method 9

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observation of sources without either water sprays or water carryover from upstream water sprays a minimum of once every 5 years.

Daily records of the visible emissions observations and any Method 9 observations, investigations, and corrective actions are to be maintained on site for a period of at least 5 years from the date of the record. Such records shall include the date and time of each observation, weather conditions, results of the observation, corrective actions taken, and explanations for days when weather conditions were prohibitive.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 27: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

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

Item 27.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-SCREE

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

Item 27.2:

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.

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

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

Monitoring Frequency: MONTHLY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 28: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable Federal Requirement:40CFR 60.674(b)(1), NSPS Subpart OOO

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-SCREE

Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If an affected facility relies on water carryover from upstream water sprays to control fugitive emissions, then that affected facility is exempt from the 5-year repeat testing requirement specified in Table 3 of subpart OOO provided that the facility meets the following criteria:

- i) The owner/operator of the affected facility conducts periodic inspections of the upstream water spray(s) that are responsible for controlling fugitive emissions from the affected facility. These inspections are conducted according to the procedures in §60.676(b) and 60.674(b), and
- ii) The owner/operator of the affected facility designates which upstream water spray(s) will be periodically inspected at the time of the initial performance test required under §60.11 and 60.675.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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Condition 29: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

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

Item 29.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 5-GENST

Item 29.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 30: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

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

Item 30.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 5-GENST

Item 30.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The owner or operator of a stationary combustion installation must perform an annual tune-up on each emission source subject to 6 NYCRR Subpart 227-1. Records of the tune-up shall be maintained at the facility or at a Department approved alternative location for a minimum of five years. The records shall, at a minimum, include the date the tune-up(s) occurred and the details of the tune-up procedures for each emission source.

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Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 31: Compliance Demonstration

Effective between the dates of 12/09/2025 and 12/08/2035

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

Item 31.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 5-GENST

Item 31.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

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

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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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 32: Contaminant List

Effective between the dates of 12/09/2025 and 12/08/2035

Applicable State Requirement:ECL 19-0301

Item 32.1:

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

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

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

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

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Condition 33: Malfunctions and Start-up/Shutdown Activities
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable State Requirement:6 NYCRR 201-1.4

Item 33.1:

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

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

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

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

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

Condition 34: Emission Unit Definition
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 34.1:

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

Emission Unit: 1-PLANT

Emission Unit Description:

Emission unit 1PLANT is composed of a distillate oil or natural gas fired 360 tph batch asphalt mixture manufacturing plant with associated control equipment. The control equipment consists of a knock-out box and a baghouse. The plant fires 1 Hauck Eco-Star II low-NOx burner and 1 exempt Carlin 301CRD burner rated at less than 10 MMBtu/hr connected to the hot oil heater.

Item 34.2:

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

Emission Unit: 2-CRUSH

Emission Unit Description:

Emission unit 2CRUSH is composed of 4 crushers, all of which are equipped with water spray equipment to control dust emissions.

Item 34.3:

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

Emission Unit: 3-SCREE

Emission Unit Description:

Emission unit 3SCREE is composed of 4 screens, 32 conveyors, and 1 stone bin. The equipment is equipped with water spray to control dust emissions.

Item 34.4:

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

Emission Unit: 5-GENST

Emission Unit Description:

One 780 horsepower Caterpillar C18 diesel fired reciprocating internal combustion engine used to supply power to stone crushing operations.

Condition 35: Renewal deadlines for state facility permits
Effective between the dates of 12/09/2025 and 12/08/2035

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

Item 35.1:

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 36: Compliance Demonstration
Effective between the dates of 12/09/2025 and 12/08/2035

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

Item 36.1:

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The Compliance Demonstration activity will be performed for the Facility.

Item 36.2:

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: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2026.
Subsequent reports are due every 12 calendar month(s).

Condition 37: Air pollution prohibited
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable State Requirement:6 NYCRR 211.1

Item 37.1:

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

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

Condition 38: Emission Point Definition By Emission Unit
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 38.1:

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

Emission Unit: 1-PLANT

Emission Point: 001A1

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Height (ft.): 32 Diameter (in.): 54
NYTMN (km.): 4788.707 NYTME (km.): 238.974

Item 38.2:

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

Emission Unit: 5-GENST

Emission Point: GEN06
Height (ft.): 14 Diameter (in.): 8
NYTMN (km.): 4788.707 NYTME (km.): 238.974

Condition 39: Process Definition By Emission Unit
Effective between the dates of 12/09/2025 and 12/08/2035

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 39.1:

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

Emission Unit: 1-PLANT
Process: P01 Source Classification Code: 3-05-002-40

Process Description:
Production of asphalt mixture in a 360 tph batch plant firing natural gas. The dried aggregate is mixed with hot liquid asphalt in a pug mill and is either loaded into haul trucks or into a storage silo for later sale.

Emission Source/Control: 000KB - Control
Control Type: GRAVITY COLLECTOR

Emission Source/Control: 00BH1 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 000D1 - Process

Emission Source/Control: 000D2 - Process

Item 39.2:

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

Emission Unit: 1-PLANT
Process: P11 Source Classification Code: 3-05-002-40

Process Description:
Production of asphalt mixture in a 360 tph batch plant firing No.2 fuel oil. The dried aggregate is mixed with hot liquid asphalt in a pug mill and is either loaded into haul trucks or into a storage silo for later sale.

Emission Source/Control: 000KB - Control
Control Type: GRAVITY COLLECTOR

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Emission Source/Control: 00BH1 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 000D1 - Process

Emission Source/Control: 000D2 - Process

Item 39.3:

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

Emission Unit: 2-CRUSH

Process: P02

Source Classification Code: 3-05-020-01

Process Description:

Broken rock is sent through crushers as part of the stone processing operation. The rock may be crushed by as many as four different crushers to get the right size and shape required for product sale.

Emission Source/Control: 00WS1 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00CR7 - Process

Emission Source/Control: 00CR8 - Process

Emission Source/Control: 00CR9 - Process

Emission Source/Control: 0CR10 - Process

Item 39.4:

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

Emission Unit: 3-SCREE

Process: P03

Source Classification Code: 3-05-040-34

Process Description:

Crushed rock is sent through a series of screens and conveyors where it is sized and separated. The aggregate is sent to stock piles or to a wet processing plant for further sizing and separation.

Emission Source/Control: 00WS2 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00SC1 - Process

Emission Source/Control: 00SC2 - Process

Emission Source/Control: 00SC3 - Process

Emission Source/Control: 00SC5 - Process

Emission Source/Control: 00SC6 - Process

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Emission Source/Control: 0CON1 - Process

Emission Source/Control: 0CON2 - Process

Emission Source/Control: 0CON3 - Process

Emission Source/Control: 0CON4 - Process

Emission Source/Control: 0CON5 - Process

Emission Source/Control: 0CON6 - Process

Emission Source/Control: CON27 - Process

Item 39.5:

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

Emission Unit: 5-GENST

Process: 0G6

Source Classification Code: 2-02-001-02

Process Description:

780 horsepower Caterpillar C18 diesel fired reciprocating
internal combustion engine used to supply power to stone
crushing operations.

Emission Source/Control: 000G6 - Combustion

Permit ID: 8-3422-00007/00015

Facility DEC ID: 8342200007