

**Division of Air Resources
Permit Review Report**

Permit ID: 5-5205-00013/00058

Renewal Number: 4

02/28/2022

Facility Identification Data

Name: LEHIGH CEMENT COMPANY LLC

Address: 313 WARREN ST

GLENS FALLS, NY 12801

Owner/Firm

Name: LEHIGH CEMENT COMPANY LLC

Address: 313 Warren St

Glens Falls, NY 12801, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

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WARRENSBURG, NY 12885-1172

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Division of Air Resources:

Name: MICHAEL R SUNDBERG

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Air Permitting Facility Owner Contact:

Name: Jana Frederick

Address: Lehigh Cement Company LLC

313 Warren St

Glens Falls, NY 12801

Phone:5182231292

Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

This is a renewal of the Title V Permit

Attainment Status

LEHIGH CEMENT COMPANY LLC is located in the town of GLENS FALLS in the county of

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WARREN.

The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter< 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	TRANSPORT REGION (NON-ATTAINMENT)
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

** NOx has a separate ambient air quality standard in addition to being an ozone precursor.

Facility Description:

The Lehigh Northeast Cement Company, located in Glens Falls, NY, consists of a Portland cement manufacturing operation and an associated quarry. Various types of Portland cements are produced using a combination of limestone, sand gypsum, and other materials of similar chemical composition. These materials are heated in the facility's rotary kiln to form cement clinker, which is cooled and ground to form cement.

Operations at the facility have been broken down into nine (9) emission units, each having related functions and processes, as follows:

- Stone quarrying and preliminary crushing (Emission Unit U-QUARY);
- Raw material storage and handling (Emission Unit U-RMHND);
- Raw material grinding (Emission Unit U-RAWGR);
- Kiln or pyroprocessing system (Emission Unit U-KILN);
- Solid fuel (coal and DEC approved alternative fuels) (Emission Unit U-FUEL);
- Cement clinker transport and storage (Emission Unit U-CLTRN);
- Precrusher (Polycom)system (Emission Unit U-PLYCM);
- Finish mill\Product storage (Emission Unit U-FINML); and
- Product packing and loading (Emission Unit U-SHPNG).

Permit Structure and Description of Operations

The Title V permit for LEHIGH CEMENT COMPANY LLC is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An

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emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

LEHIGH CEMENT COMPANY LLC is defined by the following emission unit(s):

Emission unit USHPNG - This emission unit consists of all operations and equipment involved in the packing and bulk shipment of the finished product (cement). Processes include material transfer, weighing, packaging, and the loading of railcars for bulk shipping.

Emission unit USHPNG is associated with the following emission points (EP):

06000, 06049, 06059, 06245, 06255, 06302, 06303, 06304, 06305, 06340, 06695, 06990, 07000, 07010, 07020, 07200, 07333, 07505, 07526

Process: P01 is located at MAIN, Building STSILO - Equipment for transferring and storing (silos) finished product (cement) for bulk shipment.

Process: P02 is located at MAIN, Building WAREPK - Equipment for bulk loading of finished product (cement) into railcars and trucks.

Process: P03 is located at MAIN, Building WAREPK - The silo 33 air slide system used in the transfer of finished product (cement).

Process: Q01 is located at MAIN, Building STSILO - Equipment for transferring and storing (silos) finished product (cement) for packaging.

Process: Q02 is located at MAIN, Building WAREPK - Equipment for transferring finished product (cement) from the storage silos to the packaging and bulk loading areas.

Process: Q03 is located at MAIN, Building WAREPK - A cement packaging (bagging) machine.

Emission unit 0UFUEL - This emission unit consists of all operations and equipment involved in the storage, transfer, and preparation of coal, Raggertail and other alternative fuels for use in the pyro-processing (kiln) system. Processes include the loading, unloading, hauling, and storage of the fuel and preparation of the fuel (by crushing) for use.

Process: H01 Loading, unloading, and hauling of coal (or other solid fuels). The fuel arrives on-site via

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trucks or rail cars. The emissions associated with this process are fugitive.

Process: H02 Outdoor pile for the storage of coal or other solid fuels. The emissions associated with this process are fugitive.

Process: H03 Loading, unloading, hauling, and preparation (crushing) of coal (or other solid fuels) prior to its use as a fuel in the kiln. The emissions associated with this process are fugitive.

Process: H04 Unloading, and conveying of Raggertail. The fuel arrives on-site via trucks. The emissions associated with this process are fugitive.

Emission unit 0UKILN - This emission unit consists of all operations and equipment involved in the production of cement clinker by the pyroprocessing (kiln) system. Processes include the transfer and weighing of raw feed, the firing of the kiln, and the transfer of excess cement kiln dust produced by the process.

Emission unit 0UKILN is associated with the following emission points (EP):
01041, 01068, 01070, 01122

Process: D01 is located at MAIN, Building PRHEAT - Equipment which transfers the kiln feed produced by the raw mill system into the pyroprocessing system or kiln.

Process: D02 is located at MAIN, Building PRECIP - Equipment for storage of kiln dust (produced as a by product of clinker production) which is cleaned out of the kiln exhaust by the electrostatic precipitators.

Process: D03 Equipment for collecting and storing kiln dust (in case of emergency) resulting from the operation of the spray tower.

Process: D04 Removal (to temporary storage prior to return to the process) of kiln dust produced by the spray tower generated during operation of process D03.

Process: G01 Equipment used (in case of emergency) to transfer kiln dust collected by the electrostatic precipitator to temporary storage prior to return to the process.

Process: G02 is located at MAIN, Building PRECIP - Operation of the pyroprocessing system with simultaneous operation of the raw mill. During this operation the raw feed is transformed into cement clinker through slow rotation of the kiln and the application of high temperature. The heat for the process is provided through the combustion of coal, natural gas and compressor condensate generated on-site. This process exhausts to emission points 01070 and 01068.

Process: G03 is located at MAIN, Building PRECIP - Operation of the pyroprocessing system without simultaneous operation of the raw mill. During this operation the raw feed is transformed into cement clinker through slow rotation of the kiln and the application of high temperature. The heat for the process is provided through the combustion of coal, natural gas and compressor condensate generated on-site. This process exhausts to emission point 01070 and 01068.

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Process: G04 is located at MAIN, Building PRECIP - Operation of the pyroprocessing system with simultaneous operation of the raw mill. During this operation the raw feed is transformed into cement clinker through slow rotation of the kiln and the application of high temperature. The heat for the process is provided through the combustion of coal, natural gas, compressor condensate generated on-site or alternative fuels as approved under the Op-Flex provisions of this permit and subsequent permit modification for final authorization of use in this process. This process exhausts to emission points 01070 and 01068.

Process: G05 is located at MAIN, Building PRECIP - Operation of the pyroprocessing system without simultaneous operation of the raw mill. During this operation the raw feed is transformed into cement clinker through slow rotation of the kiln and the application of high temperature. The heat for the process is provided through the combustion of coal, natural gas, compressor condensate generated on-site or alternative fuels as approved under the Op-Flex provisions of this permit and subsequent permit modification for final authorization of use in this process. This process exhausts to emission points 01070 and 01068.

Process: G06 Operation of the pyroprocessing system with simultaneous operation of the raw mill. During this operation the raw feed is transformed into cement clinker through slow rotation of the kiln and the application of high temperature. The heat for the process is provided through the combustion of coal, natural gas, compressor condensate generated on-site or Raggertail (alternative fuel). This process exhausts to emission points 01070 and 01068.

Process: G07 Operation of the pyroprocessing system without simultaneous operation of the raw mill. During this operation the raw feed is transformed into cement clinker through slow rotation of the kiln and the application of high temperature. The heat for the process is provided through the combustion of coal, natural gas, compressor condensate generated on-site or Raggertail (alternative fuel). This process exhausts to emission points 01070 and 01068.

Process: J01 is located at Building COOLER - Operation of clinker cooler in which hot cement clinker produced by the kiln is cooled through the use of air movement.

Emission unit UCLTRN - This emission unit consists of all operations and equipment involved in the storage and transfer of cement clinker. Processes include material loading, unloading, indoor and outdoor storage and rail and truck loadout.

Emission unit UCLTRN is associated with the following emission points (EP):
01118, 01119, 01123, 01811, 01812, 01830, 01910, 0K06A, 0K06B, 0K06C

Process: K01 is located at MAIN, Building OFFSPC - Transfer and storage of cement clinker (silos 1 system).

Process: K02 is located at MAIN, Building OFFSPC - Transfer and storage of cement clinker (silos 2 system).

Process: K03 Transfer of cement clinker to and from outdoor storage piles.

Process: K04 Storage of cement clinker in outdoor piles.

Process: K05 is located at MAIN, Building CLSILO - Equipment associated with the storage of cement clinker in silos.

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Process: K06 is located at Building CLSILO - Equipment for loadout of clinker by truck and rail.

Emission unit UFINML - This emission unit consists of all operations and equipment involved in the finish grinding of cement clinker and other materials within the finish mill. Processes include the storage, transfer, and weighing of materials (clinker and other additives), grinding of the materials, and the transfer and storage of the finished product.

Emission unit UFINML is associated with the following emission points (EP):

04031, 04032, 04210, 04230, 04250, 04270, 04290, PTBIN, PTMIL

Process: M01 Unloading of gypsum (or similar calcium sulfate-bearing materials) to a storage pile.

Process: M02 Emissions associated with the gypsum (or other calcium sulfate-bearing material) storage pile.

Process: M03 Emissions associated with the transfer of gypsum (or other calcium sulfate-bearing material) to a transfer hopper.

Process: M04 Unloading of marble (or similar calcium-bearing materials) to a storage pile.

Process: M05 Emissions associated with the marble (or other calcium-bearing material) storage pile.

Process: M06 Emissions associated with the transfer of marble (or other calcium-bearing material) to a transfer hopper.

Process: M07 Unloading of limestone (or similar calcium-bearing materials) to a storage pile.

Process: M08 Emissions associated with the limestone (or other calcium-bearing material) storage pile.

Process: M09 Emissions associated with the transfer of limestone (or other calcium-bearing material) to a transfer hopper.

Process: M10 Processes and equipment associated with the transfer of materials from the OS belt to the OS elevator.

Process: M11 Equipment and processes associated with transfer of materials within the crane bay.

Process: M12 Equipment and processes associated with the transfer of materials to the finish mill storage bins.

Process: N13 is located at MAIN, Building FINISH - Equipment used to transfer raw materials and cement clinker to Finish Mill #1 and the operation of the mill itself.

Process: N14 Equipment used to transfer raw materials and cement clinker to Finish mill #2 and the operation of the mill itself.

Process: N15 is located at mAIN, Building FINISH - Proposed equipment used to transfer raw materials and cement to Finish Mill #3 and the operation of the mill itself.

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Emission unit UPLYCM - This emission unit consists of all operations and equipment involved in the pre-crushing of cement clinker prior to processing in the finish mill system. Processes include the transfer and weighing of the clinker and crushing.

Emission unit UPLYCM is associated with the following emission points (EP):

01904, 01905, 01906, 01936

Process: L01 is located at MAIN, Building PLYCOM - Transfer, weighing, and crushing of cement clinker in the polycom crusher system.

Process: L02 Transfer of cement clinker (previously crushed by the polycom system) to storage.

Process: L03 Crushing material in the boneyard.

Emission unit UQUARY - This emission unit consists of all operations and equipment associated with the quarry portion of the facility. Associated sources and emission points include blasting, truck loading/unloading, stone hauling, stone crushing, and material storage/transfer operations. Fugitive emissions within the emission unit include road traffic and storage piles.

Emission unit UQUARY is associated with the following emission points (EP):

00902

Process: A01 Loading/unloading of trucks and hauling of quarry overburden (excess soils/stone).

Process: A02 Loading/unloading of trucks and hauling of resale stone and sand within quarry.

Process: A03 Loading/unloading and hauling of stone to quarry crusher.

Process: A04 Stockpiling of stone for feeding through crusher.

Process: A05 is located at MAIN - Operation of primary quarry crusher.

Process: A06 Transfer of quarry stone from belts 903 to 904 and 904 to No. 5 transfer point after crushing.

Process: A07 Transfer of crushed quarry stone over various belts to indoor storage. Transfers include No. 5 to No. 1; No. 1 to No. 2 and No. 2 to 906, 906 to 953, and 953 to storage.

Process: A09 Storage of materials, such as quarry stone, in outdoor piles.

Process: A10 Drop out for quarry stone used and sold for road maintenance.

Process: A11 Storage of limestone and other calcium bearing materials for use in production or for resale.

Emission unit URAWGR - This emission unit consists of all operations and equipment involved in the production of raw feed for the pyroprocessing (kiln) system. Processes include the transfer, weighing, and mixing of raw materials, the formation of raw feed within the raw mill, and mixing/storage of various

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types of raw feeds.

Emission unit URAWGR is associated with the following emission points (EP):

01009, PTRAW

Process: C01 Transfer, weighing, milling and blending of raw kiln feed and the raw materials from which it is produced.

Emission unit URMHND - This emission unit consists of all operations and equipment involved in the storage and handling of raw materials (other than quarry stone). These materials are all solids and may consist of iron bearing materials, silica bearing materials, calcium bearing materials or other materials which are similar in chemical and/or physical composition.

Emission unit URMHND is associated with the following emission points (EP):

01033, PT950

Process: B01 Loading, unloading, and storage (in piles) of sand and other silica bearing materials.

Process: B02 Loading, unloading, and storage (in piles) of iron ore and other iron bearing materials.

Process: B03 Operating of material reclaimer and transfer of stored materials (belts 906, 953, 955, 950 and 956 and the storage pile). Materials transferred include stone, silica bearing, iron bearing, calcium bearing, and other raw materials with similar physical and chemical composition.

Process: B05 Transfer of raw materials to and from storage silos and the silos themselves. Transfers include 950 to 955, 955 to 956, 956 to 957, 957 to 959, 959 to 958, 958 to 960 and 960 to silos.

Title V/Major Source Status

LEHIGH CEMENT COMPANY LLC is subject to Title V requirements. This determination is based on the following information:

The Lehigh Northeast Cement Company, located in Glens Falls, NY, consists of a Portland cement manufacturing operation and an associated quarry. Various types of Portland cements are produced using a combination of limestone, sand gypsum, and other materials of similar chemical composition. These materials are heated in the facility's rotary kiln to form cement clinker, which is cooled and ground to form cement.

The facility is a major source of the following contaminants:

CONTAMINANT	PERMITTED EMISSION RANGE
CO	>100 TPY
PM-10	>100 TPY
NOx	>100 TPY
Greenhouse Gasses	> 100,000 TPY

Program Applicability

The following chart summarizes the applicability of LEHIGH CEMENT COMPANY LLC with regards to the principal air pollution regulatory programs:

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Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	YES
NESHAP (40 CFR Part 61)	YES
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in

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equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH, 6 NYCRR 200.10) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code

Description

3241	CEMENT, HYDRAULIC
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SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code

Description

3-05-006-06	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Kilns
3-05-006-07	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Raw Material Unloading
3-05-006-08	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Raw Material Piles
3-05-006-09	MINERAL PRODUCTS

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3-05-006-10	MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Primary Crushing
3-05-006-12	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Secondary Crushing
3-05-006-13	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Raw Material Transfer
3-05-006-14	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Raw Material Grinding and Drying
3-05-006-15	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Clinker Cooler
3-05-006-16	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Clinker Piles
3-05-006-17	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Clinker Transfer
3-05-006-18	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Clinker Grinding
3-05-006-19	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Cement Silos
3-05-006-99	MINERAL PRODUCTS MINERAL PRODUCTS - CEMENT MANUFACTURE (DRY PROCESS) Cement Load Out
3-05-020-06	Other Not Classified MINERAL PRODUCTS
3-05-320-32	STONE QUARRYING-PROCESSING (SEE ALSO 3-05-320 FOR DIFFERENT UNITS) Miscellaneous Operations: Screen/Convey/Handling
3-09-002-01	MINERAL PRODUCTS STONE QUARRYING-PROCESSING (SEE ALSO 3-05-020 FOR DIFFERENT UNITS) TRUCK LOADING - CONVEYOR
3-90-002-01	FABRICATED METAL PRODUCTS FABRICATED METAL PRODUCTS - ABRASIVE BLASTING OF METAL PARTS General IN-PROCESS FUEL USE INDUSTRIAL PROCESSES - IN-PROCESS FUEL USE CEMENT KILN/DRYER (BITUMINOUS COAL)

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every

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chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
001746-01-6	2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN			0.0000302	
0NY504-00-0	40 CFR 63 - TOTAL HYDROCARBONS (THC)	6410			
007664-41-7	AMMONIA			428747	
000124-38-9	CARBON DIOXIDE				266976
000630-08-0	CARBON MONOXIDE			380217	
007440-47-3	CHROMIUM			7	
000050-00-0	FORMALDEHYDE			974	
007647-01-0	HYDROGEN CHLORIDE			389	
007439-92-1	LEAD			20	
007439-96-5	MANGANESE			80	
007439-97-6	MERCURY	10			
000074-82-8	METHANE			16000	
0NY059-28-0	NICKEL (NI 059)			7	
0NY210-00-0	OXIDES OF NITROGEN	905500			
0NY075-00-0	PARTICULATES	304150			
0NY075-00-5	PM-10	167500			
007782-49-2	SELENIUM			6	
007446-09-5	SULFUR DIOXIDE	153300			
0NY100-00-0	TOTAL HAP	1194			
0NY998-00-0	VOC	7500			

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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- Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)**
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.
- Item B: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)**
Owners and/or operators of facilities having an issued Title V 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.
- Item C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item D: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item G: Property Rights - 6 NYCRR 201-6.4(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item H: Severability - 6 NYCRR Part 201-6.4(a)(9)**
If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.
- Item I: Permit Shield - 6 NYCRR Part 201-6.4(g)**

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All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item J: Reopening for Cause - 6 NYCRR Part 201-6.4(i)

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to

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the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item K: Permit Exclusion - ECL 19-0305

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

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

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
- (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate

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emissions, and corrective actions taken.

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

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item_02

**Item B: 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.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description

FACILITY	ECL 19-0301	77	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A.13 (a)	42	General provisions - Monitoring requirements
FACILITY	40CFR 60-A.4	37	General provisions - Address
FACILITY	40CFR 60-A.7 (b)	38	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (c)	39	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (d)	40	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (f)	41	Notification and Recordkeeping
FACILITY	40CFR 60-F.62 (c)	43	Portland cement plants - standard for particulate matter
FACILITY	40CFR 60-F.65	44	Portland cement plants - recordkeeping and reporting
FACILITY	40CFR 63-LLL.1342	45	NESHAP for Portland

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0-UKILN	40CFR 63-LLL.1342	67	Cement Manufacturing - General Standards NESHAP for Portland Cement Manufacturing
FACILITY	40CFR 63-LLL.1343	46	- General Standards NESHAP for Portland Cement Manufacturing
0-UKILN	40CFR 63- LLL.1343(b) (1)	68, 69, 70, 71	- Standards for kilns and in-line kilns/raw mills NESHAP for Portland Cement Manufacturing
FACILITY	40CFR 63-LLL.1343(c)	47	- Standards for kilns and in-line kilns/raw mills NESHAP for Portland Cement Manufacturing
FACILITY	40CFR 63-LLL.1345	48	- Standards for kilns and in-line kilns/raw mills Portland Cement NESHAP - Opacity Standard
FACILITY	40CFR 63-LLL.1346(a)	49	Portland Cement NESHAP - Operating Limits for Kilns - Temperature
FACILITY	40CFR 63-LLL.1346(g)	50	Portland Cement NESHAP - startup/shutdown provisions
FACILITY	40CFR 63-LLL.1347	51	NESHAP for Portland Cement Manufacturing - Operation and Maintenance Plan Requirements
FACILITY	40CFR 63-LLL.1348(c)	52	Portland Cement NESHAP - Compliance Requirements - Changes in Operations
FACILITY	40CFR 63-LLL.1348(d)	53	Portland Cement NESHAP - Compliance Requirements - General Duty to Minimize Emissions Monitoring Requirements
FACILITY	40CFR 63-LLL.1350(a)	54	Portland Cement NESHAP - PM Monitoring Requirements
FACILITY	40CFR 63- LLL.1350(b) (1)	55	Portland Cement NESHAP - PM Monitoring Requirements
FACILITY	40CFR 63-LLL.1350(d)	56	Portland Cement NESHAP - Monitoring Requirements - Clinker Production Monitoring Requirements
0-UKILN	40CFR 63-LLL.1350(i)	72	Portland Cement NESHAP - Monitoring Requirements - Mercury Monitoring
FACILITY	40CFR 63-LLL.1350(k)	57	Portland Cement NESHAP - Parameter Monitoring Systems
FACILITY	40CFR 63-LLL.1350(m)	58	Portland Cement NESHAP - Parameter Monitoring Systems
FACILITY	40CFR 63-LLL.1350(p)	59	Portland Cement

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FACILITY	40CFR 63-LLL.1353	60	NESHAP - Monitoring Plans
FACILITY	40CFR 63-LLL.1354	61	Notification Requirements
FACILITY	40CFR 63-LLL.1354 (b) (11)	62	Reporting Requirements
0-UKILN	40CFR 63-ZZZZ	73	Portland Cement NESHAP - Performance Test Reporting Requirements
FACILITY	40CFR 68	18	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 82-E	63	Chemical accident prevention provisions
FACILITY	40CFR 82-F	19	Protection of Stratospheric Ozone - labelling of products using ozone depleting substances
FACILITY	6NYCRR 200.6	1	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.7	10	Acceptable ambient air quality.
FACILITY	6NYCRR 201-1.4	78	Maintenance of equipment.
FACILITY	6NYCRR 201-1.7	11	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage
FACILITY	6NYCRR 201-3.2 (a)	13	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.3 (a)	14	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-6	20, 64, 65	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6.4 (a) (4)	15	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (c)	3	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (d) (4)	21	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Schedules - Progress Reports
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FACILITY	6NYCRR 201-6.4 (f)	22, 23	Operational Flexibility
FACILITY	6NYCRR 201-6.5 (a)	79	State Enforceable Requirements
FACILITY	6NYCRR 202-1.1	17	Required emissions tests.
FACILITY	6NYCRR 202-1.3	24, 25	Acceptable procedures.
FACILITY	6NYCRR 202-1.5	26	Prohibitions.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	80	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	27	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212-1.6 (a)	28	Limiting of Opacity Requirements
FACILITY	6NYCRR 212-2.1	81	State Air Program
FACILITY	6NYCRR 212-2.3 (b)	82, 83	Non-Criteria air contaminants subject Table 4
FACILITY	6NYCRR 212-2.4 (a)	29	Control of Particulate from Existing Process Emission Sources
FACILITY	6NYCRR 212-2.4 (b)	30	Control of Particulate from New and Modified Process Emission Sources
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
0-UKILN	6NYCRR 220-1.4 (a)	66	Opacity limits for portland cement processes.
FACILITY	6NYCRR 220-1.4 (b)	84	Opacity limits for portland cement processes.
FACILITY	6NYCRR 220-1.4 (c)	31	Opacity limits for portland cement processes.
FACILITY	6NYCRR 220-1.6 (b)	85	Emissions of nitrogen oxides from kiln stacks.
FACILITY	6NYCRR 220-1.7	86	Source monitoring, recordkeeping, and reporting.
0-UKILN/01070	6NYCRR 220-1.7 (b)	87	Opacity monitoring for dry process plant kilns and all clinker coolers.
FACILITY	6NYCRR 225-1.2 (b)	32	Sulfur-in-Fuel Limitations - Solid Fuels
0-UKILN/01070	6NYCRR 225-2.4 (a)	74	Waste Oil Analysis
FACILITY	6NYCRR 231-5.5	33	Emission offset requirements
FACILITY	6NYCRR 249.3 (a)	34, 35	BART Emission Limitation Requirements for Sources

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FACILITY	6NYCRR 249.3 (d)	36	Deadline for BART Controls and/or Emission Reduction Measures
0-UKILN/01070	6NYCRR 249.3 (f)	75	Each BART determination established by the Department will be submitted to the EPA for approval as a SIP revision.
0-UKILN/01122	6NYCRR 249.3 (f)	76	Each BART determination established by the Department will be submitted to the EPA for approval as a SIP revision.

Applicability Discussion:

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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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6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to 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.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

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This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (4)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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.

40 CFR Part 68

This Part lists the regulated substances and their applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

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Facility Specific Requirements

In addition to Title V, LEHIGH CEMENT COMPANY LLC has been determined to be subject to the following regulations:

40 CFR 60.13 (a)

This regulation specifies that all New Source Performance Standard (NSPS) affected sources that are required to have continuous monitoring systems (CMS) are subject to the requirements of Appendix B of 40 CFR Part 60 and if the CMS is used to demonstrate compliance with emission limits on a continuous basis, then it is also subject to Appendix F of 40 CFR Part 60.

40 CFR 60.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.62 (c)

Any affected facility, other than the kiln or clinker cooler may not discharge any gases which exhibit a 10% opacity or greater.

40 CFR 60.65

This regulation sets forth the recordkeeping and reporting requirements for the continuous opacity monitoring system(section (a)), visible emissions reports (section (b)), and malfunction reports (section (c)). Section (d) of this part also allows alternative means of compliance surveillance if approved by the State.

40 CFR 60.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40 CFR 60.7 (c)

This requirement details the information to be submitted in excess emissions and monitoring systems performance reports which must be submitted at least semi-annually for sources with compliance monitoring systems.

40 CFR 60.7 (d)

This condition specifies the required information and format for a summary report form and details when either a summary form and/or excess emissions reports are required.

40 CFR 60.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

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40 CFR 63.1342

This section provides general emission standards and operating limits for specific sources at Portland Cement Manufacturing Facilities.

40 CFR 63.1343

This section contains the standards for kilns, clinker coolers, raw material dryers, and open clinker storage piles operated at portland cement manufacturing facilities subject to the requirements of 40 CFR 63 Subpart LLL.

40 CFR 63.1343 (b) (1)

This section provides particulate matter emission limitations for certain operations (kilns and in-line kiln/raw mills) at existing, reconstructed, or new major sources.

40 CFR 63.1343 (c)

This section describes the requirements for the owner or operator of an open clinker storage pile located at a portland cement manufacturing facility subject to the requirements of 40 CFR 63 Subpart LLL.

40 CFR 63.1345

This citation states the emission limits for sources other than kilns.

40 CFR 63.1346 (a)

This citation states the temperature requirement for kilns subject to a dioxin/furan emission limit.

40 CFR 63.1346 (g)

This section describes the operating limits for portland cement kilns during periods of start-up and shutdown.

40 CFR 63.1347

This section describes the operation and maintenance plan requirements for portland cement kilns.

40 CFR 63.1348 (c)

This section describes the performance testing requirements for changes in operations at portland cement plants that are subject to the requirements of 40 CFR 63 Subpart LLL.

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40 CFR 63.1348 (d)

This section states that it is the general duty of the owner or operator of a portland cement plant subject to the requirements of 40 CFR 63 Subpart LLL to operate the plant in such a way as to minimize emissions.

40 CFR 63.1350 (a)

The owner or operator of a portland cement plant subject to this regulation is required to provide a written operations and maintenance plan. This plan includes procedures for proper operation, corrective action should a problem occur, inspection procedures, and periodic monitoring of sources subject to opacity standards.

40 CFR 63.1350 (b) (1)

This citation states the PM continuous parameter monitoring system requirements.

40 CFR 63.1350 (d)

This section contains the monitoring requirements for facilities that need to monitor clinker production in order to demonstrate compliance with 40 CFR 63 Subpart LLL.

40 CFR 63.1350 (i)

The owner or operator subject to dioxin and furan emission limits under this subpart shall inspect the components of the combustion system at least once per year.

40 CFR 63.1350 (k)

This section describes the mercury monitoring requirements for portland cement plants that are subject to 40 CFR 63 Subpart LLL.

40 CFR 63.1350 (m)

This describes the requirements for operating and maintaining continuous parameter monitoring systems.

40 CFR 63.1350 (p)

This describes the requirement for a site-specific monitoring plan.

40 CFR 63.1353

Notification requirements including performance tests, visible emission observations, and compliance status, among other things, are specified in this section.

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40 CFR 63.1354

The owner or operator of affected facilities have to comply with the reporting requirements of this section. These reporting requirements outline what information needs to be provided in the reports, and when the reports need to be submitted.

40 CFR 63.1354 (b) (11)

This citation states the reporting requirements for performance tests.

40 CFR Part 63, Subpart ZZZZ

Subpart ZZZZ applies to reciprocating internal combustion engines. Sources must comply with work practice standards and operating limits.

40 CFR Part 82, Subpart E

Subpart E of 40 CFR Part 82, requires warning statements on containers of, and products containing or manufactured with, certain ozone-depleting substances, pursuant to section 611 of the Clean Air Act Amendments of 1990. Specific requirements are detailed in sections 82.106 thru 82.124.

6 NYCRR 201-6.4 (f)

This section describes the potential for certain operational changes to be made by the facility owner or operator without first obtaining a permit modification. Changes made pursuant to this provision must meet all of the criteria described in this section to qualify for consideration as operational flexibility. The Department reserves the right to require the facility owner or operator to obtain a permit modification prior to making any changes at the facility pursuant to this section.

6 NYCRR 201-6.5 (a)

This subdivision states that the Department shall include state enforceable conditions in Title V permits. State enforceable conditions related to regulations developed pursuant to the Climate Leadership and Community Protection Act (CLCPA) and Article 75 of New York State Environmental Conservation Law may be included in future versions of this permit, as applicable.

6 NYCRR 202-1.3

This regulation requires that any emission testing, sampling and analytical determination used to determine compliance must use methods acceptable to the department. Acceptable test methods may include but are not limited to the reference methods found in 40 CFR Part 60 appendix A and Part 61, appendix B. Alternate methods may be also be used provided they are determined to be acceptable by the department. Finally, unless otherwise specified, all emission test reports must be submitted within 60 days after completion of testing.

6 NYCRR 202-1.5

This rule prohibits the concealment of an emission by the use of air or other gaseous diluents (diluting

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agents) to achieve compliance with an emission standard which is based on the concentration of a contaminant in the gases emitted through a stack.

6 NYCRR 211.1

This regulation requires that 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.

6 NYCRR 212-1.6 (a)

This provision requires that the facility owner or operator not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water.

6 NYCRR 212-2.1

Emissions of air contaminants to the outdoor atmosphere from any process emission source or emission point are restricted as follows:

- (a) For an air contaminant listed in section 212-2.2 table 2 – high toxicity air contaminant list, of this Subpart, the facility owner or operator shall either limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC; or demonstrate compliance with the air cleaning requirements for the HTAC as specified in subdivision 212-2.3(b), table 4 – degree of air cleaning required for non-criteria air contaminants, of this Subpart for the environmental rating assigned to the contaminant by the department.
- (b) For any air contaminant not listed on table 2, unless it is a solid particulate described in subdivision (c) of this section, the facility owner or operator shall not allow emissions of an air contaminant to violate the requirements specified in subdivision 212-2.3(a), table 3 – degree of air cleaning required for criteria air contaminants of this Subpart, or subdivision 212-2.3(b), table 4 – degree of air cleaning required for non-criteria air contaminants of this Subpart, as applicable, for the environmental rating assigned to the contaminant by the department.
- (c) For a solid particulate assigned an environmental rating of B or C emitted from a process emission source, the facility owner or operator shall not allow emissions of particulate to exceed the requirements specified in section 212-2.4 of this Subpart.

6 NYCRR 212-2.3 (b)

Table 4 of 212-2.3 describes the reduction in emissions required for a non-criteria air contaminant based on its uncontrolled emission rate. The uncontrolled emission rate in conjunction with the assigned environmental rating determines the degree of controlled applied.

6 NYCRR 212-2.4 (a)

Particulate emissions from any process emission source, which received a B or C Environmental Rating, and for which an application was received by the department prior to July 1, 1973 are restricted to 0.15 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

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6 NYCRR 212-2.4 (b)

Particulate emissions from any process emission source, which received a B or C Environmental Rating, and for which an application was received by the department after July 1, 1973 are restricted to 0.050 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

6 NYCRR 220-1.4 (a)

For sources that have not been constructed or modified since August 17, 1971, no person will cause or allow emissions to the outdoor atmosphere of any material that has an average six-minute opacity of 20 percent or greater, except uncombined water, from a portland cement kiln, portland cement kiln with in-line raw mill, clinker cooler, or any other confined processes at a portland cement plant.

6 NYCRR 220-1.4 (b)

The emissions from a clinker cooler, raw mill system, finish mill system, raw mill dryer, raw material storage, clinker storage, finished product storage, conveyor points, bagging, and bulk loading and unloading systems which commenced construction or modification after August 17, 1971 shall not have a six-minute average opacity equal to or greater than 10 percent.

6 NYCRR 220-1.4 (c)

Corrective measures must be applied to any area, parking lot, clinker gallery, railcar loading shed, conveyor tunnel, access road, stockpile, building opening or refuse disposal area, at a Portland cement plant that has the potential to emit visible emissions for one continuous hour or longer.

6 NYCRR 220-1.6 (b)

A reasonably available control technology (RACT) analysis shall be submitted to the department for emissions of oxides of nitrogen (NO_x) from the kiln that proposes a RACT emission limit(s), and identifies the procedures and monitoring equipment to be used to demonstrate compliance with the proposed RACT emission limit(s). The RACT emissions limit(s) shall be expressed in pounds of NO_x per ton of clinker produced.

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6 NYCRR 220-1.7

This detail requirements for continuous emissions monitoring systems.

6 NYCRR 220-1.7 (b)

A continuous opacity monitor must be installed, maintained, calibrated, and operated for all dry process cement kilns and all clinker cooler subject to the opacity requirements of subdivision (a) or (b) of section 220-1.4.

6 NYCRR 225-1.2 (b)

This subdivision sets the sulfur-in-fuel limitations for solid fuel fired emission sources throughout the State.

6 NYCRR 225-2.4 (a)

This requires the facility operator to submit an analysis of waste oil proposed to be burned.

6 NYCRR 231-5.5

This section states what the emission offset requirements are for a facility subject to this Subpart.

6 NYCRR 249.3 (a)

The owner or operator of a source that is determined to be BART-eligible and whose emissions of visibility-impairing pollutants result in a visibility impairment equal to or greater than 0.1 deciviews in any Federal Class I Area must conduct an analysis to determine the appropriate emission limitation necessary to meet BART requirements.

6 NYCRR 249.3 (d)

The kiln at Lehigh has been determined to be subject to control requirements under the BART rule.

6 NYCRR 249.3 (f)

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Each BART determination established by the department will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the State Implementation Plan (SIP).

Compliance Certification

Summary of monitoring activities at LEHIGH CEMENT COMPANY LLC:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

FACILITY	42	record keeping/maintenance procedures
FACILITY	37	record keeping/maintenance procedures
FACILITY	38	record keeping/maintenance procedures
FACILITY	39	record keeping/maintenance procedures
FACILITY	40	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	43	monitoring of process or control device parameters as surrogate
FACILITY	44	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
0-UKILN	68	intermittent emission testing
0-UKILN	69	continuous emission monitoring (cem)
0-UKILN	70	continuous emission monitoring (cem)
0-UKILN	71	intermittent emission testing
FACILITY	47	record keeping/maintenance procedures
FACILITY	48	monitoring of process or control device parameters as surrogate
FACILITY	49	record keeping/maintenance procedures
FACILITY	50	record keeping/maintenance procedures
FACILITY	51	record keeping/maintenance procedures
FACILITY	52	record keeping/maintenance procedures
FACILITY	53	record keeping/maintenance procedures
FACILITY	54	record keeping/maintenance procedures
FACILITY	55	record keeping/maintenance procedures
FACILITY	56	record keeping/maintenance procedures
0-UKILN	72	record keeping/maintenance procedures
FACILITY	57	record keeping/maintenance procedures
FACILITY	58	record keeping/maintenance procedures
FACILITY	59	record keeping/maintenance procedures
FACILITY	60	record keeping/maintenance procedures
FACILITY	61	record keeping/maintenance procedures
FACILITY	62	record keeping/maintenance procedures
0-UKILN	73	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	28	monitoring of process or control device parameters as surrogate
FACILITY	81	record keeping/maintenance procedures
FACILITY	82	record keeping/maintenance procedures
FACILITY	83	monitoring of process or control device parameters as surrogate
FACILITY	29	intermittent emission testing
FACILITY	30	intermittent emission testing
0-UKILN	66	continuous emission monitoring (cem)

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FACILITY	84	monitoring of process or control device parameters as surrogate
FACILITY	31	record keeping/maintenance procedures
FACILITY	85	continuous emission monitoring (cem)
FACILITY	86	record keeping/maintenance procedures
FACILITY	32	work practice involving specific operations
0-UKILN/01070	74	monitoring of process or control device parameters as surrogate
FACILITY	33	record keeping/maintenance procedures
FACILITY	34	continuous emission monitoring (cem)
FACILITY	35	work practice involving specific operations
FACILITY	36	record keeping/maintenance procedures
0-UKILN/01070	75	record keeping/maintenance procedures
0-UKILN/01122	76	record keeping/maintenance procedures

Basis for Monitoring

The cement kiln is the main source of emissions and is regulated under Federal and State rules.

40CFR63 Subpart LLL (National Emission Standards for Hazardous Air Pollutants from the Portland Cement manufacturing Industry) regulates emissions of Mercury, Dioxins/Furans, Total Hydrocarbons and Particulates from the cement kiln.

Mercury is measured by continuous emissions monitor systems (CEMS). Stack gas is continuously drawn through sorbent tubes which are collected and sent to a lab for analysis. A stack test company annually performs a relative accuracy test audit (RATA) to confirm that the CEMS are accurate.

Dioxin/Furans are measured by stack testing every 30 months. During the testing, exhaust temperature is recorded and established as limit. During kiln operation, exhaust temperature is continuously monitored to demonstrate that the limit is not exceeded.

Total Hydrocarbons are measured by continuous emissions monitors. In addition to daily calibrations performed by facility operators, a stack test company annually performs a relative accuracy test audit (RATA) to confirm that the CEMS are accurate.

Particulate emissions are measured by an annual stack test. During the testing, a continuous parametric monitoring system (CPMS) correlates its readings to the emissions measured by the stack tester. This sets a limit. During kiln operation, the CPMS continuously operates to demonstrate that the limit is not exceeded.

Nitrogen Oxide and Sulfur Dioxide emissions are regulated by the State. New, lower emission limits for both contaminants have been established under a consent order (Civil Action #5:19-cv-05688) between USEPA and Lehigh Cement's parent company concerning violations that occurred at other Lehigh plants.

Both contaminants are measured by continuous emissions monitors, In addition to daily calibrations performed by facility operators, a stack test company annually performs a relative accuracy test audit (RATA) to confirm that the CEMS are accurate.

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The clinker cooler receives hot cement clinker from the kiln and cools it by blowing ambient air across it. Its Particulate emissions are also subject to Subpart LLL and a CPMS and annual stack test, similar to those applicable to the kiln, are required.

The only contaminant emitted from other emission points at the facility is Particulate. Daily visible emissions observations are made. If VE are observed and corrective measures do not eliminate them within 2 days, then this must be reported to NYS DEC and they must perform an EPA Method 9 evaluation to demonstrate compliance with the applicable opacity limit.

Additionally, daily inspections and appropriate action as described in GFLC's "Fugitive Dust Control Plan" are used to comply with the requirement to apply corrective measures to eliminate visible emissions which may occur for one continuous hour or longer from any area, parking lot, clinker gallery, rail car loading shed, conveyor tunnel, access road, stockpile, building opening, or refuse disposal area.