

1990.11.07 MLR Permit
Hewitt

New York State Department of Environmental Conservation

2176 Guilderland Ave., Schenectady, NY 12306
Telephone (518) 382-0680



November 7, 1990

Thomas C. Jorling
Commissioner

Mr. Jay Derman
Norlite Corporation
P.O. Box 694
Cohoes, New York 12047

Re: Implementation of Fugitive Dust
Control and Noise Plans
Norlite Cohoes Pit and Expanded
Shale Aggregate Facility

Dear Mr. Derman:

Attached is a modification to your existing DEC operational permits incorporating the Fugitive Dust Control Plan with 4 changes as special condition 11 and noise control as special condition 12. To assure renewal of and issuance of new operational permits, compliance with these plans is important.

We particularly feel the installation of buried or insulated hard piping connected to discreet spray heads at clinker transfer points and at frequently used roadways should allow for no more than 10% opacity from any identifiable dust source and a reduction in complaints from the public. The Department will also evaluate the quality of citizen complaints in relation to noise or dust in deciding if other or secondary control measures must be implemented.

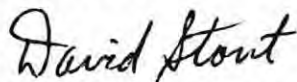
The newly installed multiclone dust collection system warrants particular attention because of the light weight of this dust and recent citizen complaints due to improper storage of this material. Transfer and storage operations must be carefully designed and implemented as per the schedule in the permit.

It is our intention to incorporate compliance with the accepted Noise Control (special condition #11) and special condition #12 into all other operational permits as they are issued, but expect the implementation of the described controls on the required schedule throughout the facility.

By providing a copy of this letter, Tables 5-1 and 6-1 of the Fugitive Dust Control Plan, and the attached permits amendment to each concerned resident who has written us, to the City of Cohoes and to the

Albany County Health Department, we are notifying them of our decision.
If you have any questions, you may contact Bill Clarke or myself.

Sincerely,



David Stout
Sr. Environmental Analyst
Facility Analyst

DS/d1/11DS18

cc: Carol Lamb, R4 DOW
Michael Styk, R4 DOA
Ann Lapinski, R4 Legal
A. Hewitt, R4 MLR
ECO K. Holle
Lt. R. Miller
Capt. J. Lord
Steve Lukowski, ACHD-DEHS
Mayor Robert Signorraci, City of Cohoes
Peter Henner, Special Counsel, (C) Cohoes
Walter Kolakowski
Ann Kerwin
Russ Fieldhouse, R4 Fisheries

DEC PERMIT NUMBERS
 4-0103-16/1-0 (APC)
 4-0103-16/17-0 (APC)
 4-0103-16/21-0 (APC)
 4-0103-16/19-0 (MLR)



PERMIT
 Under the Environmental Conservation Law

EFFECTIVE DATE
 November 7, 1990
 EXPIRATION DATE(S)
 August 31, 1993

- Article 15, Title 3; 6NYCRR 327, 328, 329: Aquatic Pesticides
- Article 15, Title 5: Protection of Water
- Article 15, Title 15: Water Supply
- Article 15, Title 15: Water Transport
- Article 15, Title 15: Long Island Wells
- Article 15, Title 27: Wild, Scenic and Recreational Rivers

- 6NYCRR 608: Water Quality Certification
 - Article 17, Titles 7, 8: SPDES
 - M Article 19: Air Pollution Control*
 - M Article 23, Title 27: Mined Land Reclamation
 - Article 24: Freshwater Wetlands
- N—New, R—Renewal, M—Modification,
 C—Construct (*only), O—Operate (*only)

- Article 25: Tidal Wetlands
- Article 27, Title 7; 6NYCRR 360: Solid Waste Management*
- Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management
- Article 34: Coastal Erosion Management
- Article 36: Floodplain Management
- Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control

PERMIT ISSUED TO Norlite Corporation		(518) 235-0401	
ADDRESS OF PERMITTEE Jay Derman, P.O. Box 694, Cohoes, NY 12047			
AGENT FOR PERMITTEE/CONTACT PERSON Edward T. Brookman, P.E., Sci-Tech, Inc., 360 Main St., Middletown, CT 06457		TELEPHONE NUMBER	
NAME AND ADDRESS OF PROJECT/FACILITY (If different from Permittee) Cohoes Pit & Expanded Shale Aggregate Facility			
LOCATION OF PROJECT/FACILITY E. of City Cohoes Line, N. of Elm St.	COUNTY Albany	TOWN/CITY/TOWNSHIP Colonie/Cohoes	UTM COORDINATES 473406N, 60574E
DESCRIPTION OF AUTHORIZED ACTIVITY Implementation of Fugitive Dust Control and Noise Control at Norlite Facility			

GENERAL CONDITIONS

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations and the conditions specified herein or attached hereto.

1. The permittee shall file in the office of the appropriate regional permit administrator, or other office designated in the special conditions, a notice of intention to commence work at least 48 hours in advance of the time of commencement and shall also notify him/her promptly in writing of the completion of the work.
2. The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation which may order the work suspended if the public interest so requires pursuant to ECL §71-0301 and SAPA §401(3).
3. The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.
4. The Department reserves the right to modify, suspend or revoke this permit at any time after due notice, and, if requested, hold a hearing when:
 - a) the scope of the project is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations are found; or
 - b) the permit was obtained by misrepresentation or failure to disclose relevant facts; or
 - c) newly discovered information or significant physical changes are discovered since the permit was issued.
5. To maintain a valid permit, the permittee must submit a renewal application, including any forms, fees or supplemental information, which may be required by the Department, at least 30 days prior to the expiration date of the existing permit (180 days prior for: State pollution discharge elimination system permits (SPDES), Solid waste management facilities permits (SWMF), or Hazardous waste management facilities permits (HWMF)).
6. This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work or as authorizing 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.
7. The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way which may be required for this project.
8. Issuance of this permit by the Department does not, unless expressly provided for, modify, supersede or rescind an order on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions, or requirements contained in such order or determination.
9. Any modification of this permit granted by the Department must be in writing and attached hereto.

PERMIT ISSUANCE DATE 11/14/90	PERMIT ADMINISTRATOR - <i>Region 4</i> William J. Clarke	ADDRESS 2176 Guelderland Ave. Schenectady, NY 12306
AUTHORIZED SIGNATURE <i>William J. Clarke</i>		Page 1 of <u>2</u>

SPECIAL CONDITIONS

19 Air Pollution Control
For Article & 23 (Title 27, (Mined Land Reclamation))

For Articles 8, 19 & 23 (SEQR, Pollutant Emissions, Mining Reclamation)

10. The permittee must comply with Order on Consent, file #R4-0768-90-01 executed 6/21/90.
11. The primary dust control methods and implementation schedules in the Fugitive Dust Control Plan prepared by Sci-Tech and dated August 1990 will be implemented with the following changes:
- a. In Table 6-1 (Implementation Schedule) the water sprays will be installed within 9 months of the effective date of this permit modification,
 - b. Norlite shall immediately implement fugitive dust controls consistent with this permit and control plan to cover the handling and storage of dust collected by its multiclone dust collection system. A supplement to the dust control plan shall be submitted covering this source within 30 days of the effective date of this permit.
 - c. Norlite shall notify DEC in writing when new control systems are operational,
 - d. Norlite shall meet an emission performance standard of no more than 10% opacity from any identifiable dust source.
 - e. Norlite shall provide to DEC a written report describing progress in meeting the fugitive dust implementation schedule and noise control recommendations, including a record of any complaints from the public, within a year from the effective date of this permit modification,
 - f. If secondary fugitive dust controls are determined to be necessary by DEC, Norlite will submit an approvable implementation schedule to DEC within 3 weeks of DEC notification. The use of chemical stabilizers (discussed as a secondary control) must not create leachable constituents that could contravene state groundwater or surface water standards.
12. The recommendations of the Noise Impact Analysis report by Angerine Acoustical Consultants dated 8/24/90 will be implemented. An approvable implementation schedule for the installation of microwave radar mobile equipment alarms and schedule of noise muffler replacement criteria shall be provided to DEC within 30 days. In addition, the Permittee shall meet a performance standard of not exceeding beyond its property line, noise levels specified in 6NYCRR 360-1.14(p) for suburban communities. Norlite shall provide a written report to DEC describing progress in implementing noise control measures, including a record of any complaints from the public, within a year from the effective date of this permit.
13. The Department may require modifications/additions to the dust or noise control plans as well as swift implementation of additional control measures to deal with significant noise or dust impacts to surrounding residential neighborhoods.
14. All submittals to DEC required by this permit shall be sent to the Regional Permit Administrator.

11DS18

DEC PERMIT NUMBER Air Emissions and MLR		
FACILITY ID NUMBER 010300 0296 and 413-32-002	PROGRAM NUMBER	Page <u>2</u> of <u>2</u>

TABLE 5-1
PROPOSED CONTROL PLAN SUMMARY

<u>Source Category</u>	<u>Current Controls</u>	<u>Proposed Primary Controls</u>	<u>Proposed Secondary Controls</u>
Unpaved Roads	<ul style="list-style-type: none"> o Watering truck o 15-20 spray nozzles as needed o Speed restrictions 	<ul style="list-style-type: none"> o Watering truck every 2 hrs. on road segments near the eastern plant boundary o Engineer better system of spray heads 	<ul style="list-style-type: none"> o Pilot studies to investigate road dust suppressants
Kiln Operations	<ul style="list-style-type: none"> o Partial enclosures around transfer points 	<ul style="list-style-type: none"> o Collect and pneumatically convey fines to multiclones o More complete enclosures around transfer points o Water sprays at transfer points where required 	<ul style="list-style-type: none"> o Investigate moving the transfer of multiclone dust to a point further on in the process
Storage Pile Wind Erosion	<ul style="list-style-type: none"> o Some watering on finished stores o Some natural crusting 	<ul style="list-style-type: none"> o Spray towers around pile areas o Water truck spray for isolated areas o Pile shaping for longer term storage where applicable 	<ul style="list-style-type: none"> o Investigate the use of wind barriers in selected areas
Material Handling: Crushers, Screens, Conveyors, Transfer points	<ul style="list-style-type: none"> o Water sprays o Stone ladders o Enclosures around screens o Some enclosures/drop boxes around transfer points o Some conveyor covers 	<ul style="list-style-type: none"> o Optimize spray nozzle selection, location and placement o Hard pipe, bury, and winterize water lines where practical o Refurbish/maintain enclosures o Train operators as to when sprays are required 	<ul style="list-style-type: none"> o Wind barriers in selected areas o Enclose transfer points more thoroughly

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-OVER-

Table 6-1
Implementation Schedule
Primary Strategies

<u>Area</u>	<u>Proposed Primary Strategy</u>	<u>Implementation - From Receipt of NYDEC Final Approval</u>
Unpaved Roads	Increase frequency of water applications	+ 1 Week
	Spray head water system	
	o Engineering	+ 3 Months
	o Complete modifications	+ 6 Months
Kiln Processing Operations	Pneumatically convey fines	+ 2 Months
	Improve transfer point enclosures	+ 4 Months
	Install water sprays at transfer points as required	+ 5 Months
Storage Piles Wind Erosion	Installation of improved spraying capability	
	o Engineering	+ 6 Months
	o Implementation	+ 12 Months
	Water truck spray for isolated areas	+ 1 Week
	Pile shaping - where applicable	+ 1 Month

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