

**New York State Department of Environmental Conservation
Facility DEC ID: 2640300031**



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

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 2-6403-00031/00033
Mod 0 Effective Date: 09/24/2003 Expiration Date: No expiration date.
Mod 1 Effective Date: 06/28/2004 Expiration Date: No expiration date.
Mod 2 Effective Date: 07/14/2004 Expiration Date: No expiration date.
Mod 3 Effective Date: 04/20/2005 Expiration Date: No expiration date.

Permit Issued To: VANBRO CORP
1900M SOUTH AVE
P O BOX 140721
STATEN ISLAND, NY 10314-3605

Contact: CORNELIUS VANDERBILT, JR
VANBRO CORPORATION
1900 SOUTH AVE
STATEN ISLAND, NY 10314
(718) 698-1100

Facility: VANBRO CORPORATION
1900 SOUTH AVENUE
STATEN ISLAND, NY 10314-3605

Contact: CORNELIUS VANDERBILT, JR
VANBRO CORPORATION
1900 SOUTH AVE
STATEN ISLAND, NY 10314
(718) 698-1100

Description:
THE APPLICANT PROPOSES TO MODIFY PERMIT TO INCLUDE ONE 300 HP OIL-FIRED ENGINE/GENERATOR AND A 1250 KW NATURAL GAS FIRED ENGINE. ALSO RE-DESIGNATE THE PRIMARY 1500 KW OIL FIRED ENGINE AS AN EMERGENCY BACKUP ENGINE. THE NO_x EMISSIONS ARE CAPPED AT 22.5 TONS PER YEAR.

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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: JOHN F CRYAN
 DIVISION OF ENVIRONMENTAL PERMITS
 ONE HUNTERS POINT PLAZA, 47-40 21ST STREET
 LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ____ / ____ / ____



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 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 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.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal-REGION 2
HEADQUARTERS



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 and Modifications
Applicable State Requirement: 6NYCRR 621.13

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 expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for 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



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transfer of ownership.

Condition 4: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 4.1:

The Department reserves the right 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 Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: VANBRO CORP
1900M SOUTH AVE
P O BOX 140721
STATEN ISLAND, NY 10314-3605

Facility: VANBRO CORPORATION
1900 SOUTH AVENUE
STATEN ISLAND, NY 10314-3605

Authorized Activity By Standard Industrial Classification Code:
2951 - PAVING MIXTURES AND BLOCKS
3273 - READY-MIXED CONCRETE
3295 - MINERALS, GROUND OR TREATED

Mod 0 Permit Effective Date: 09/24/2003

Permit Expiration Date: No expiration date.

Mod 1 Permit Effective Date: 06/28/2004

Permit Expiration Date: No expiration date.



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 3-1 6NYCRR 202-1.1: Required Emissions Tests
- 7 6NYCRR 202-1.2: Notification
- 8 6NYCRR 202-1.3: Acceptable procedures
- 9 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 10 6NYCRR 225-1.8: Compliance Demonstration
- 11 6NYCRR 225-1.8(a): Compliance Demonstration
- 12 6NYCRR 227-1.3(a): Compliance Demonstration

Emission Unit Level

EU=U-ASPHT

- 13 6NYCRR 202-1.1: Required emission tests
- 14 6NYCRR 212.3(b): Existing sources - 212.3(b) particulate matter standard.
- 15 6NYCRR 212.6(a): 212.6(a) - Opacity standard
- 16 40CFR 60.92, NSPS Subpart I: Compliance Demonstration
- 17 40CFR 60.92, NSPS Subpart I: Compliance Demonstration

EU=U-ASPHT,EP=AS001

- 18 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 19 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 20 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 21 40CFR 60.92, NSPS Subpart I: Compliance Demonstration
- 22 40CFR 60.92, NSPS Subpart I: Compliance Demonstration

EU=U-CONCR

- 25 6NYCRR 212.3(b): Existing sources - 212.3(b) particulate matter standard.
- 26 6NYCRR 212.6(a): 212.6(a) - Opacity standard

EU=U-CRUSH

- 27 6NYCRR 212.3(b): Existing sources - 212.3(b) particulate matter standard.
- 28 6NYCRR 212.6(a): 212.6(a) - Opacity standard

EU=U-GENER

- 29 6NYCRR 227-1.3: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 32 ECL 19-0301: Contaminant List



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- 33 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 34 6NYCRR 201-5: Emission Unit Definition
- 3-2 6NYCRR 201-7.2: Facility Permissible Emissions
- *3-3 6NYCRR 201-7.2: Capping Monitoring Condition
- *3-4 6NYCRR 201-7.2: Capping Monitoring Condition
- *3-5 6NYCRR 201-7.2: Capping Monitoring Condition
- *3-6 6NYCRR 201-7.2: Capping Monitoring Condition
- *3-7 6NYCRR 201-7.2: Capping Monitoring Condition
- 35 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 36 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 37 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping. Mod 2 Permit Effective Date: 07/14/2004 Permit Expiration Date: No expiration date.

Mod 3 Permit Effective Date: 04/20/2005

Permit Expiration Date: No expiration date.



FEDERALLY ENFORCEABLE CONDITIONS

****** 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 - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 200.7

Any person who owns or operates an air contamination

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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, required to operate such device effectively.

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

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6NYCRR Part 201-1.5

An emergency constitutes an affirmative defense to an action brought 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 and/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;

(3) During the period of the emergency the facility owner and/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 and/or operator notified the Department within two working days after the event



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occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/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 F: Recycling and Salvage - 6NYCRR Part 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 G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 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 H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 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 I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 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



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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 J: Required Emission Tests - 6 NYCRR Part 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 6NYCRR Part 202-1.

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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.

Item L: Open Fires - 6 NYCRR Part 215

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item M: 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

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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 N:

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.

FEDERAL APPLICABLE REQUIREMENTS

The following conditions are federally enforceable.

Condition 3-1: Required Emissions Tests

Effective between the dates of 04/20/2005 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 3-1.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

CondNotification

Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.2

Item 7.1:

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall



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also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

Condition 8: Acceptable procedures
Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.3

Item 8.1:

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

Condition 9: Compliance Demonstration
Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-1.2(a)(2)

Item 9.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.2 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 10: Compliance Demonstration
Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-1.8

Item 10.1:

The Compliance Demonstration activity will be performed for the Facility.

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Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Upon request the owner or operator of a facility which purchases and fires coal or oil shall submit reports to the commissioner containing a fuel analysis, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1. All records shall be available for a minimum of three years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 11: Compliance Demonstration
Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Fe6NYCRR 225-1.8(a)

Item 11.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 12: Compliance Demonstration
Effective between the dates of 09/24/2003 and Permit Expiration Date



Applicable Fe6NYCRR 227-1.3(a)

Item 12.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 12.2:

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 combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

Condition 13: Required emission tests
Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 13.1:

This Condition applies to Emission Unit: U-ASPHT

Item 13.2:

An acceptable report of measured emissions shall be submitted, as required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

Condition 14: Existing sources - 212.3(b) particulate matter standard.
Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.3(b)

Item 14.1:

This Condition applies to Emission Unit: U-ASPHT

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Item 14.2:

In instances where determination of permissible emission rate using process weight is not applicable (see Table 5 of Part 212) and for an environmental rating of B or C, no person will cause or allow emissions of solid particulates that exceed 0.15 grains of particulates per cubic foot of exhaust gas, corrected for dilution air and expressed at standard conditions on a dry gas basis.

Condition 15: 212.6(a) - Opacity standard
Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 15.1:

This Condition applies to Emission Unit: U-ASPHT

Item 15.2:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water.

Condition 16: Compliance Demonstration
Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.92, NSPS Subpart I

Item 16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-ASPHT

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 16.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

INITIAL STACK TEST TO DEMONSTRATE
COMPLIANCE WITH 20% OPACITY NSPS LIMIT.

Upper Permit Limit: 20 percent

Reference Test Method: METHOD 9

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 17: Compliance Demonstration



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Applicable Federal Requirement: 40CFR 60.92, NSPS Subpart I

Item 17.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-ASPHT

Regulated Contaminant(s):

CAS No: PARTICULATES

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

INITIAL STACK TEST TO DEMONSTRATE
COMPLIANCE WITH 0.04 GRAINS/DSCF.

Upper Permit Limit: 0.04 grains per standard cubic foot

Reference Test Method: METHOD 5

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 18: Performance testing timeline.

Effective between the dates of 09/24/2003 and Permit Expiration Date

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

Item 18.1:

This Condition applies to Emission Unit: U-ASPHT Emission Point: AS001

Item 18.2:

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 19: Performance test methods.

Effective between the dates of 09/24/2003 and Permit Expiration Date

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

Item 19.1:

This Condition applies to Emission Unit: U-ASPHT Emission Point: AS001



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Item 19.2:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

Condition 20: Prior notice.

Effective between the dates of 09/24/2003 and Permit Expiration Date

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

Item 20.1:

This Condition applies to Emission Unit: U-ASPHT Emission Point: AS001

Item 20.2:

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Condition 21:

Compliance Demonstration

Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.92, NSPS Subpart I

Item 21.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-ASPHT Emission Point: AS001

Item 21.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Standard for opacity from a hot mix asphalt plant.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: method 9

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 22: Compliance Demonstration

Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.92, NSPS Subpart I

Item 22.1:

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Facility DEC ID: 2640300031



The Compliance Demonstration activity will be performed for:

Emission Unit: U-ASPHT Emission Point: AS001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 22.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emissions limitations for a hot mix asphalt plant.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: method 5

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 25: Existing sources - 212.3(b) particulate matter standard.
Effective between the dates of 09/24/2003 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 212.3(b)

Item 25.1:

This Condition applies to Emission Unit: U-CONCR

Item 25.2:

In instances where determination of permissible emission rate using process weight is not applicable (see Table 5 of Part 212) and for an environmental rating of B or C, no person will cause or allow emissions of solid particulates that exceed 0.15 grains of particulates per cubic foot of exhaust gas, corrected for dilution air and expressed at standard conditions on a dry gas basis.

**Condition 26: 212.6(a) - Opacity standard
Effective between the dates of 09/24/2003 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 26.1:

This Condition applies to Emission Unit: U-CONCR

Item 26.2:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water.

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**Condition 27: Existing sources - 212.3(b) particulate matter standard.
Effective between the dates of 09/24/2003 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 212.3(b)

Item 27.1:

This Condition applies to Emission Unit: U-CRUSH

Item 27.2:

In instances where determination of permissible emission rate using process weight is not applicable (see Table 5 of Part 212) and for an environmental rating of B or C, no person will cause or allow emissions of solid particulates that exceed 0.15 grains of particulates per cubic foot of exhaust gas, corrected for dilution air and expressed at standard conditions on a dry gas basis.

**Condition 28: 212.6(a) - Opacity standard
Effective between the dates of 09/24/2003 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 28.1:

This Condition applies to Emission Unit: U-CRUSH

Item 28.2:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water.

**Condition 29: Compliance Demonstration
Effective between the dates of 09/24/2003 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 29.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-GENER

Item 29.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired internal combustion engines which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the

following:



1) Observe the stack for each internal combustion engine which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

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

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence.

The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



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

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1) , and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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

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law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 32:

Contaminant List

Effective between the dates of 09/24/2003 and Permit Expiration Date

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: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

Condition 33: Unavoidable noncompliance and violations

Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable State6NYCRR 201-1.4

Item 33.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

- (a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.
- (b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR



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Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 34: Emission Unit Definition
Effective between the dates of 09/24/2003 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 34.1(From Mod 3):

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

Emission Unit: U-GENER

Emission Unit Description:

EMISSION UNIT REPRESENTS THE (6) SIX INDUSTRIAL COMBUSTION ENGINES USED AT THE FACILITY. IT CONSISTS OF TWO (2) 1250 KW RATED NATURAL GAS FIRED UNIT (ENGINE #66300155/ GENERATOR #0099953/01 AND ENGINE #66300327/GENSET #10K189360) AND A PORTABLE 300 HP ENGINE (JOHN DEERE 6081 HF001). IN ADDITION, EMISSION UNIT HAS THREE BACKUP (EMERGENCY) EXEMPT UNITS CONSISTING OF A 400 KW DISTILLATE FIRED UNIT (ENGINE #37-178245/ GENERATOR #J970653912) AND TWO 1500 KW DISTILLATE FIRED UNITS (ENGINE #33126630/ GENERATOR #C940536917 AND ENGINE



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#33126630/ GENERATOR #C940536916). THE ENGINES ARE USED TO PROVIDE OFF-GRID ELECTRICAL POWER TO THE FACILITY.

Item 34.2(From Mod 2):

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

Emission Unit: U-ASPHT

Emission Unit Description:

EMISSION UNIT REPRESENTS A HOT MIX ASPHALT PLANT CAPABLE OF MAXIMUM PRODUCTION OF 200 TONS PER HOUR OF ASPHALT. THE HOT MIX BATCH PLANT CONSISTS OF A ESO/G 100 HAUCK MANUFACTURING LOW NOX BURNER CAPABLE OF FIRING NATURAL GAS (PRIMARY FUEL) OR DISTILLATE OIL. THE FACILITY ALSO INCLUDES ELEVATED STORAGE BINS, WEIGH HOPPERS, AN ULTRA MAX 50000-05 PORTABLE THREE-IN-ONE RECYCLE PLANT, ABOVE-GROUND STORAGE TANKS AND ASSOCIATED CONVEYOR SYSTEM.

Item 34.3(From Mod 1):

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

Emission Unit: U-CONCR

Emission Unit Description:

EMISSION UNIT REPRESENTS THE TWO READY-MIX CONCRETE PLANTS WHICH CONSIST OF (1) A WET OR DRY MIX PLANT AND (2) A DRY MIX PLANT EQUIPPED WITH A PNEUMATIC CEMENT HANDLING AND MECHANICAL CONVEYOR SYSTEMS FOR LOADING OUT. EMISSION UNIT ALSO INCLUDES ELEVATED STORAGE BINS, WEIGH HOPPERS WITH A SINGLE CENTRAL MIXER AND ASSOCIATED CONVEYORS SYSTEMS.

Item 34.4(From Mod 0):

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

Emission Unit: U-CRUSH

Emission Unit Description:

THIS EMISSION UNIT REPRESENTS THE AGGREGATE CRUSHING AND SCREENING PLANT. THIS EMISSION UNIT CONSISTS OF ONE (1) PRIMARY JAW CRUSHER, WITH A TRIPLE DECK SCALPING SCREEN PLANT AND ASSOCIATED CONVEYORS. IT ALSO HAS ONE (1) SECONDARY STONE CRUSHER WITH A TRIPLE DECK SCREEN PLANT AND ASSOCIATED CONVEYORS AND STACKING SYSTEMS AND ONE (1) TERTIARY CRUSHER



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EQUIPPED WITH A TRIPLE DECK SCREEN PLANT, CONVEYORS, STACKERS AND STORAGE BINS AND FEEDERS. DUST SUPPRESSION IS ACCOMPLISHED THROUGH WET SUPPRESSION (WATER) SPRAY BARS AND NOZZLES LOCATED THROUGHOUT THE PLANT AT CRUSHING, SCREENING AND CONVEYOR TRANSFER POINTS. IN ADDITION THE CONVEYORS ARE COVERED BY HOODS.

Building(s): 2

Condition 3-2:

Facility Permissible Emissions

Effective between the dates of 04/20/2005 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7.2

Item 3-2.1:

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

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

CAS No: 0NY210-00-0 (From Mod 3) PTE: 45,000 pounds per year

Name: OXIDES OF NITROGEN

Condition 3-3: Capping Monitoring Condition

Effective between the dates of 04/20/2005 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7.2

Item 3-3.1:

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:

6NYCRR 201-6

Item 3-3.2:

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

Item 3-3.3:

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

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Item 3-3.4:

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

Item 3-3.5:

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

Item 3-3.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE FACILITY WILL CAP THE NOX EMISSIONS BY LIMITING ASPHALT PRODUCTION TO A TOTAL OF 350,000 TONS PER YEAR.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: ASPHALT

Upper Permit Limit: 350,000 tons per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3-4:

Capping Monitoring Condition

Effective between the dates of 04/20/2005 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7.2

Item 3-4.1:

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:

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6NYCRR 201-6

Item 3-4.2:

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

Item 3-4.3:

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 3-4.4:

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 3-4.5:

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 3-4.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-4.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE FACILITY WILL CAP NOX EMISSIONS BY LIMITING #2 FUEL OIL USAGE TO 131,000 GALLONS PER YEAR.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Upper Permit Limit: 131,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

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Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3-5: Capping Monitoring Condition

Effective between the dates of 04/20/2005 and Permit Expiration Date

Applicable State6NYCRR 201-7.2

Item 3-5.1:

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

6NYCRR 201-6

Item 3-5.2:

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

Item 3-5.3:

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

Item 3-5.4:

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

Item 3-5.5:

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

Item 3-5.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
COXIDES OF NITROGEN

Item 3-5.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL

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DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

THE FACILITY WILL CAP NOX EMISSIONS TO 22.5 TONS PER YEAR BY LIMITING ASPHALT PRODUCTION TO A TOTAL OF 350,000 TONS A YEAR, NATURAL GAS USAGE TO 70 MMSCF PER YEAR, DISTILLATE FUEL OIL USAGE TO 131,000 GAL PER YEAR (30,000 GALLONS OF WHICH ARE USED TO FIRE 300 HP ENGINE).

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 22.5 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

Condition 3-6: Capping Monitoring Condition

Effective between the dates of 04/20/2005 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7.2

Item 3-6.1:

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

6NYCRR 201-6

Item 3-6.2:

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

Item 3-6.3:

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

Item 3-6.4:

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

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levels that would require compliance with an applicable requirement.

Item 3-6.5:

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

Item 3-6.6:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-GENER

Regulated Contaminant(s):

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

Item 3-6.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE APPLICANT IS PROPOSING TO CONDUCT
STACK TEST FOR TWO 1250 KW ENGINES TO
DEMONSTRATE THE 0.126 LBS/MMBTU NO_x RATE

EMISSIONS.

Upper Permit Limit: 0.126 pounds per million Btus

Reference Test Method: EPA

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 3-7: Capping Monitoring Condition

Effective between the dates of 04/20/2005 and Permit Expiration Date

Applicable State 6 NYCRR 201-7.2

Item 3-7.1:

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

6 NYCRR 201-6

Item 3-7.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms,

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conditions and standards in this permit.

Item 3-7.3:

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

Item 3-7.4:

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

Item 3-7.5:

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

Item 3-7.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-7.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE FACILITY WILL CAP NOX EMISSIONS BY LIMITING NATURAL GAS USAGE TO 70 MMSCF PER YEAR.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NATURAL GAS

Parameter Monitored: NATURAL GAS

Upper Permit Limit: 70 million cubic feet per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 35:

Air pollution prohibited

Effective between the dates of 09/24/2003 and Permit Expiration Date



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VARIOUS STOCKPILES ON-SITE. THE LIQUID ASPHALT CEMENT IS STORED IN HEATED ABOVE GROUND STORAGE TANKS. THE AGGREGATE IS TRANSFERRED FROM THE STOCKPILES TO THE APPROPRIATE BINS BY CONVEYOR. FROM THE STORAGE BINS THE AGGREGATE MATERIAL IS PLACED ONTO THE CONVEYOR AND TRANSPORTED TO THE ROTARY DRYER. THE AGGREGATE IS DRIED AND TRANSPORTED TO THE MIXER WHERE THE DRIED AGGREGATE IS MIXED WITH THE LIQUID ASPHALT CEMENT. THE HOT-MIX PAVING MATERIAL ASPHALT IS TRANSFERRED TO THE STORAGE SILOS OR LOADED ONTO TRUCKS AND TAKEN TO THE CONSTRUCTION SITE.

EmisHAUCK - Combustion
Design Capacity: 100 million Btu per hour

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

Item 37.4(From Mod 2):

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

Emission Unit: U-ASPHT

Process: OIA

Source Classification Code: 3-05-002-08

Process Description:

DISTILLATE OIL USED FOR HOT MIX ASPHALT BATCH PLANT. THE HOT MIX ASPHALT PAVING MATERIAL IS PRODUCED BY COMBINING LIQUID ASPHALT CEMENT WITH VARIOUS SIZED AGGREGATE AND RECYCLED ASPHALT PAVEMENT. THE AGGREGATE AND RECYCLED ASPHALT PAVEMENT IS STORED IN VARIOUS AREAS ON-SITE. THE LIQUID ASPHALT CEMENT IS STORED IN HEATED ABOVE GROUND STORAGE TANKS. THE AGGREGATE IS TRANSFERRED FROM THE VARIOUS AREAS TO THE APPROPRIATE BINS BY CONVEYOR. FROM THE STORAGE BINS THE AGGREGATE MATERIAL IS PLACED ONTO THE CONVEYOR AND TRANSPORTED TO THE ROTARY DRYER. THE AGGREGATE IS DRIED AND TRANSPORTED TO THE MIXER WHERE THE DRIED AGGREGATE IS MIXED WITH THE LIQUID ASPHALT CEMENT. THE HOT-MIX ASPHALT PAVING MATERIAL IS TRANSFERRED TO THE STORAGE SILOS OR LOADED ONTO TRUCKS AND TAKEN TO THE CONSTRUCTION SITE.

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Emission Source/Control: HAUCK - Combustion
Design Capacity: 100 million Btu per hour

Emission ASBAG - Control
Control Type: FABRIC FILTER

Item 37.5(From Mod 1):

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

Emission Unit: U-CONCR

Process: MIX

Source Classification Code: 3-05-011-09

Process Description:

THIS EMISSION UNIT PRODUCES TWO TYPES OF READY MIX CONCRETE: A DRY MIX AND A WET MIX. AGGREGATE, SAND AND CEMENT ("RAW MATERIAL") ARE BROUGHT TO THE FACILITY BY BARGE AND/OR TRUCK AND STORED IN THE STORAGE BINS AND SILOS. THE RAW MATERIAL IS WEIGHED AND MIXED IN A CENTRAL MIXER TO CUSTOMER SPECIFICATIONS. IF THE WET PRODUCT IS REQUESTED BY THE CUSTOMER, WATER WILL BE ADDED TO THE CENTRAL MIXER. THE DRY AND/OR PLASTIC CONCRETE IS LOADED ONTO TRUCKS USING A HYDRAULIC SYSTEM AND TAKEN TO THE CONSTRUCTION SITE.

Emission Source/Control: CBAG2 - Control
Control Type: FABRIC FILTER

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

Emission Source/Control: 00DRY - Process
Design Capacity: 3,150 1000 cubic yards

Emission 00WET - Process
Design Capacity: 3,150 1000 cubic yards

Item 37.6(From Mod 0):

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

Emission Unit: U-CRUSH

Process: AGG

Source Classification Code: 3-05-002-04

Process Description:

THE AGGREGATE, WHICH INCLUDES RECYCLED CONCRETE, ASPHALT AND STONE IS RECEIVED BY

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Facility DEC ID: 2640300031



BARGE AND TRUCK AND STORED IN VARIOUS PILES AROUND THE PLANT. THE AGGREGATE IS TRANSFERRED FROM THE STORAGE AREAS BY A CONVEYOR TO THE AGGREGATE PROCESS BINS AND FEEDERS. THE AGGREGATE IS FED FROM THE STORAGE BINS BY CONVEYOR TO THE CRUSHERS. THE AGGREGATE IS FIRST CRUSHED BY THE PRIMARY CRUSHER, THEN SCREENED AND SORTED IN A TRIPLE DECK SCREENING PLANT. DEPENDING ON PRODUCT SPECIFICATION THE AGGREGATE MAY GO THROUGH THE SECONDARY AND TERTIARY CRUSHERS AND SCREENING DECKS. THE FINISHED PRODUCT IS TRANSFERRED VIA CONVEYOR TO STORAGE PILES. THROUGHOUT THE CRUSHING AND SCREENING PROCESS DUST SUPPRESSION IS ACCOMPLISHED THROUGH WET SUPPRESSION SPRAY BARS AND NOZZLES, WHICH ARE LOCATED THROUGHOUT THE PLANT AT THE CRUSHING, SCREENING AND CONVEYOR TRANSFER POINTS.

Emission Source/Control: 01WSP - Control
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission1HOOD - Control
Control Type: PROCESS ENCLOSED (ENCLOSURE)

Emission Source/Control: 01ASW - Process