



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 3-1344-00008/02001  
Mod 0 Effective Date: 08/14/2012 Expiration Date: 07/25/2022  
Mod 1 Effective Date: 05/30/2013 Expiration Date: 07/25/2022  
Mod 2 Effective Date: 09/15/2014 Expiration Date: 07/25/2022  
Mod 3 Effective Date: 09/15/2014 Expiration Date: No expiration date.

Permit Issued To: DUTCHESS QUARRY & SUPPLY CO INC  
20 HAARLEM AVE  
WHITE PLAINS, NY 10603

Contact: DUTCHESS QUARRY & SUPPLY CO INC  
20 HAARLEM AVE  
WHITE PLAINS, NY 10603  
(914) 949-2000

Facility: DUTCHESS QUARRY & SUPPLY CO INC  
410 NORTH AVE  
PLEASANT VALLEY, NY 12569

Description:  
The facility consists of two hot mix asphalt plants and a stone processing/washing plant. Electrical demand for the facility is supplied by utility line power. The asphalt plants are permitted to burn natural gas, number 2 oil, number 4 oil, and waste oil.

Emissions of carbon monoxide, nitrogen oxides, sulfur dioxide, and particulates are limited, in order to avoid the requirements of Title V of the Clean Air Act. The facility is subject to the requirements of 40 CFR 60 Subparts I and OOO, and 6NYCRR Parts 200.7, 201-5, 201-7, 212.12, 225-1, and 225-2.

**Modification #1**

This permit modification involves removing four crushers and adding one new crusher, removing five screens and adding five new screens, and removing two conveyors and adding thirteen conveyors. The associated regulatory requirements are also included.

**Modification #2**

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 3134400008**



This permit modification involves revising annual emission limits and updating sulfur in fuel oil limits.

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:       GEORGE A SWEIKERT  
                                  NYSDEC - REGION 3  
                                  21 S PUTT CORNERS RD  
                                  NEW PALTZ, NY 12561-1696

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 compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



## **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, modifications and transfers  
Permit modifications, suspensions or revocations by the Department

#### **Facility Level**

Submission of application for permit modification or  
renewal-REGION 3 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, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before 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 transfer of ownership.



**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

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

NYSDEC Regional Permit Administrator  
Region 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054

**New York State Department of Environmental Conservation**

**Permit ID: 3-1344-00008/02001**

**Facility DEC ID: 3134400008**



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

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY  
PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: DUTCHESS QUARRY & SUPPLY CO INC  
20 HAARLEM AVE  
WHITE PLAINS, NY 10603

Facility: DUTCHESS QUARRY & SUPPLY CO INC  
410 NORTH AVE  
PLEASANT VALLEY, NY 12569

Authorized Activity By Standard Industrial Classification Code:  
2951 - PAVING MIXTURES AND BLOCKS  
3273 - READY-MIXED CONCRETE

Mod 0 Permit Effective Date: 08/14/2012

Permit Expiration Date: 07/25/2022

Mod 1 Permit Effective Date: 05/30/2013

Permit Expiration Date: 07/25/2022

Mod 2 Permit Effective Date: 09/15/2014

Permit Expiration Date: 07/25/2022



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.7: Maintenance of Equipment
- 2 6 NYCRR 202-1.1: Required Emissions Tests
- 3 6 NYCRR 200.7: Compliance Demonstration
- 1-1 6 NYCRR 201-7.1: Facility Permissible Emissions
- \*2-1 6 NYCRR 201-7.1: Capping Monitoring Condition
- \*2-2 6 NYCRR 201-7.1: Capping Monitoring Condition
- 8 6 NYCRR 211.1: Air pollution prohibited
- 9 6 NYCRR 212.12 (a) (1): Compliance Demonstration
- 10 6 NYCRR 212.12 (a) (2): Compliance Demonstration
- 11 6 NYCRR 212.12 (b): Compliance Demonstration
- 2-3 6 NYCRR 225-1.2 (e): Compliance Demonstration
- 2-4 6 NYCRR 225-1.2 (f): Compliance Demonstration
- 13 6 NYCRR 225-2.3 (b) (3): Compliance Demonstration
- 2-5 6 NYCRR 225-2.4: Compliance Demonstration
- 15 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver
- 1-5 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 16 40CFR 60.12, NSPS Subpart A: Circumvention.
- 17 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
- 18 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration
- 19 40CFR 60.93(b), NSPS Subpart I: Test Methods and Procedures
- 1-6 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration

#### Emission Unit Level

##### EU=U-AG001

- 1-7 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 1-8 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 1-9 40CFR 60.674(b), NSPS Subpart OOO: Compliance Demonstration
- 22 40CFR 60.675(c)(1), NSPS Subpart OOO: Modifications to opacity observation techniques
- 1-10 40CFR 60.675(g), NSPS Subpart OOO: Compliance Demonstration

##### EU=U-AG001,Proc=009,ES=CRSH8

- 1-11 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 23 ECL 19-0301: Contaminant List
- 1-12 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 25 6 NYCRR Subpart 201-5: Emission Unit Definition
- 1-13 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 2-6 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 27 6 NYCRR 211.2: Visible Emissions Limited

#### Emission Unit Level

- 28 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 29 6 NYCRR Subpart 201-5: Process Definition By Emission Unit





NOTE: \* preceding the condition number indicates capping.



**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 - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications,



required to operate such device effectively.

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

If an existing emission source was subject to the permitting requirements of 6 NYCRR 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: Recycling and Salvage - 6 NYCRR 201-1.7**

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

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

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

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

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

**Item H: Proof of Eligibility for Sources Defined as Trivial**

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Facility DEC ID: 3134400008



## **Activities - 6 NYCRR 201-3.3 (a)**

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

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

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

## **Item J: Open Fires Prohibitions - 6 NYCRR 215.2**

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

## **Item K: Permit Exclusion - ECL 19-0305**

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

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

**New York State Department of Environmental Conservation**

**Permit ID: 3-1344-00008/02001**

**Facility DEC ID: 3134400008**



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

**FEDERAL APPLICABLE REQUIREMENTS**

**The following conditions are federally enforceable.**

**Condition 1: Maintenance of Equipment**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 1.1:**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Condition 2: Required Emissions Tests**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 202-1.1**

**Item 2.1:**

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.

**Condition 3: Compliance Demonstration**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 3.1:**

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

Emission Unit: U-BHMA1

**New York State Department of Environmental Conservation**

**Permit ID: 3-1344-00008/02001**

**Facility DEC ID: 3134400008**



Emission Unit: U-BHMA2

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must maintain the fabric filters in good working condition. Filters must be replaced as necessary, and a record shall be kept of all filter replacements.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-1: Facility Permissible Emissions**

**Effective between the dates of 05/30/2013 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 2-1.1:**

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

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

per year	CAS No: 000630-08-0 (From Mod 2)	PTE: 195,000 pounds
	Name: CARBON MONOXIDE	
per year	CAS No: 007446-09-5 (From Mod 2)	PTE: 195,000 pounds
	Name: SULFUR DIOXIDE	
per year	CAS No: 0NY075-00-0 (From Mod 2)	PTE: 184,600 pounds
	Name: PARTICULATES	
per year	CAS No: 0NY075-00-5 (From Mod 2)	PTE: 191,000 pounds
	Name: PM-10	
per year	CAS No: 0NY210-00-0 (From Mod 2)	PTE: 195,000 pounds
	Name: OXIDES OF NITROGEN	

**Condition 2-1: Capping Monitoring Condition**

**Effective between the dates of 09/15/2014 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 2-1.1:**

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

6 NYCRR Subpart 201-6

**Item 2-1.2:**

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

**Item 2-1.3:**

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

**Item 2-1.4:**

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

**Item 2-1.5:**

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

**Item 2-1.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 2-1.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Stone production at the facility is limited to 1,250,000 tons during any consecutive 12 month period.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: STONE

Upper Permit Limit: 1250000 tons per year

Monitoring Frequency: MONTHLY



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Facility DEC ID: 3134400008

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

## **Condition 2-2: Capping Monitoring Condition**

**Effective between the dates of 09/15/2014 and 07/25/2022**

### **Applicable Federal Requirement: 6 NYCRR 201-7.1**

#### **Item 2-2.1:**

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

6 NYCRR Subpart 201-6

6 NYCRR 212.10

#### **Item 2-2.2:**

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

#### **Item 2-2.3:**

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

#### **Item 2-2.4:**

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

#### **Item 2-2.5:**

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

#### **Item 2-2.6:**

The Compliance Demonstration activity will be performed for the Facility.

#### **Regulated Contaminant(s):**

CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY075-00-0	PARTICULATES
CAS No: 0NY075-00-5	PM-10
CAS No: 0NY210-00-0	OXIDES OF NITROGEN



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CAS No: 000630-08-0 CARBON MONOXIDE

**Item 2-2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Asphalt production at the facility is limited to 487,500  
tons during any consecutive 12 month period.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALT

Upper Permit Limit: 487500 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 1/30/2015.

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

**Condition 8: Air pollution prohibited**

**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 8.1:**

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

**Condition 9: Compliance Demonstration**

**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 212.12 (a) (1)**

**Item 9.1:**

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

Emission Unit: U-BHMA1

Emission Unit: U-BHMA2

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

**New York State Department of Environmental Conservation**

**Permit ID: 3-1344-00008/02001**

**Facility DEC ID: 3134400008**



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A tune-up must be performed on the dryer burner on an annual basis at any hot mix asphalt production plant that is in operation during that calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 10: Compliance Demonstration**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 212.12 (a) (2)**

**Item 10.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-BHMA1

Emission Unit: U-BHMA2

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must have a plan which details the introduction or continuation of methods by which to reduce the moisture content of the aggregate stockpile(s). The facility shall perform self-inspections to monitor compliance with the plan.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 11: Compliance Demonstration**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 212.12 (b)**

**Item 11.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-BHMA1

Emission Unit: U-BHMA2

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

**New York State Department of Environmental Conservation**

**Permit ID: 3-1344-00008/02001**

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**Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES**

**Monitoring Description:**

(1) When the burner is to be replaced, and a low NOx burner is not the unit of choice, the owner or operator of a hot mix asphalt plant must provide the Department with an economic feasibility analysis that justifies their decision. The economic analysis must follow an approach acceptable to the Department.

(2) By January 1, 2020, all owners or operators of active plants which have not installed a low NOx burner must have submitted an economic feasibility analysis. A low NOx burner must be installed for that operating year in all instances in which it proves feasible.

(3) Hot mix asphalt production plants which are in a state of inactivity on January 1, 2020, and have not otherwise complied with the requirements of this subdivision by that date must do so prior to continued operation.

**Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION**

**Condition 2-3: Compliance Demonstration**

**Effective between the dates of 09/15/2014 and 07/25/2022**

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

**Item 2-3.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-3.2:**

Compliance Demonstration shall include the following monitoring:

**Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS**

**Monitoring Description:**

Owners and/or operators of any stationary combustion installation that fires residual oil are limited to the purchase of residual oil with a sulfur content of 0.50% sulfur on or after July 1, 2014 and to the firing of residual oil with a sulfur content of 0.50% on or after July 1, 2016.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

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Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.50 percent by weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-4: Compliance Demonstration**  
**Effective between the dates of 09/15/2014 and 07/25/2022**

**Applicable Federal Requirement: 6 NYCRR 225-1.2 (f)**

**Item 2-4.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Owners and/or operators of commercial, industrial, or residential emission sources that fire number two heating oil on or after July 1, 2012 are limited to the purchase of number two heating oil with 0.0015 percent sulfur by weight or less. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: NUMBER 2 HEATING OIL  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 0.0015 percent by weight  
Monitoring Frequency: PER DELIVERY  
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY  
TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 13: Compliance Demonstration**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

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**Applicable Federal Requirement:6 NYCRR 225-2.3 (b) (3)**

**Item 13.1:**

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

Emission Unit: U-BHMA1

Emission Unit: U-BHMA2

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Combustion efficiency shall be at least 99 percent when burning Waste Fuel A. Within 60 days of the first delivery of Waste Fuel A to the facility, the burner for Emission Unit U-BHMA1 shall be performance tested to demonstrate compliance. If the facility uses Waste Fuel A in Emission Unit U-BHMA2, the associated burner shall be performance tested within 30 days after burning Waste Fuel A in this emission unit commences. Combustion efficiency will be measured by the relative concentration of carbon dioxide and carbon monoxide in the flue gas. A report with the test results shall be submitted to the Department within 60 days after any performance test.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Permit Limit: 99 percent

Reference Test Method: Methods 3 and 10

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-5: Compliance Demonstration**

**Effective between the dates of 09/15/2014 and 07/25/2022**

**Applicable Federal Requirement:6 NYCRR 225-2.4**

**Replaces Condition(s) 14**

**Item 2-5.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-5.2:**

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Waste Fuel A constituents shall not exceed the following levels:

Polychlorinated Biphenals (PCB) less than 50 ppm

Total Halogens 1000 ppm  
maximum

Sulfur  
0.75 percent by weight maximum

Lead  
250 ppm maximum

Gross Heat Content 125,000 BTU  
per gallon minimum

Parts per million (ppm) limits are by weight of fuel on a water free basis.

Records of analytical sampling results from the waste fuel supplier must show compliance with the above limits.

Records must also show the name and address of the supplier and the quantity of waste fuel received. All records must be retained by the owner or operator for at least three years.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 15: Performance Test Methods - Waiver**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

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

**Item 15.1:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

**Condition 1-5: Prior notice.**  
**Effective between the dates of 05/30/2013 and 07/25/2022**

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

**Item 1-5.1:**

The owner or operator shall provide the Administrator with prior notice of any performance test

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at least 30 days in advance of testing.

**Condition 16: Circumvention.**

**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A**

**Item 16.1:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 17: Compliance Demonstration**

**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement: 40CFR 60.92(a)(1), NSPS Subpart I**

**Item 17.1:**

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

Emission Unit: U-BHMA1	Emission Point: 00001
Emission Unit: U-BHMA2	Emission Point: 00002
Regulated Contaminant(s):	
CAS No: 0NY075-00-0	PARTICULATES

**Item 17.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No owner or operator shall discharge any emissions which contain particulate matter in excess of 0.04 grains per dry standard cubic foot of exhaust gas. Emission testing and reporting shall be conducted if directed by the Department.

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: Arithmetic average of stack test runs

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 18: Compliance Demonstration**

**Effective between the dates of 08/14/2012 and 07/25/2022**

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**Applicable Federal Requirement:40CFR 60.92(a)(2), NSPS Subpart I**

**Item 18.1:**

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

Emission Unit: U-BHMA1

Emission Point: 00001

Emission Unit: U-BHMA2

Emission Point: 00002

**Item 18.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 19: Test Methods and Procedures**

**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable Federal Requirement:40CFR 60.93(b), NSPS Subpart I**

**Item 19.1:**

This Condition applies to:

Emission Unit: UBHMA1

Emission Unit: UBHMA2

**Item 19.2:**

The owner or operator shall determine compliance with the particulate matter standards in 40 CFR 60.92 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).

(2) Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.



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**Condition 1-6: Compliance Demonstration**

Effective between the dates of 05/30/2013 and 07/25/2022

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

**Item 1-6.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-AG001

Process: 009

Emission Source: CNY17

Emission Unit: U-AG001

Process: 009

Emission Source: CNY18

Emission Unit: U-AG001

Process: 009

Emission Source: CNY24

Emission Unit: U-AG001

Process: 009

Emission Source: CNY25

Emission Unit: U-AG001

Process: 009

Emission Source: CNY26

**Item 1-6.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from any transfer point on belt conveyors constructed on or after April 22, 2008 shall not exceed 7 percent opacity.

A Method 9 opacity observation must be performed within 180 days after equipment start-up. The duration of the Method 9 observation must be 30 minutes (five 6 minute averages). Compliance will be based on the average of five 6 minute averages. Observation results shall be submitted to the Department within 60 days after completion.

Parameter Monitored: OPACITY

Upper Permit Limit: 7 percent

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD - SEE MONITORING  
DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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

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**Condition 1-7: Compliance Demonstration**

**Effective between the dates of 05/30/2013 and 07/25/2022**

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

**Replaces Condition(s) 21**

**Item 1-7.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-AG001

**Item 1-7.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from any crusher constructed after August 31, 1983 and before April 22, 2008 shall not exceed 15 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 visible emissions observation. When determining compliance with the opacity limit, the duration of the Method 9 observations must be 30 minutes (five 6 minute averages). Compliance will be based on the average of the five 6 minute averages.

Parameter Monitored: OPACITY

Upper Permit Limit: 15 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING  
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-8: Compliance Demonstration**

**Effective between the dates of 05/30/2013 and 07/25/2022**

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

**Replaces Condition(s) 20**

**Item 1-8.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-AG001

**Item 1-8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

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**DEVICE PARAMETERS AS SURROGATE**

**Monitoring Description:**

Fugitive emissions from any transfer point on belt conveyors or from any screen constructed after August 31, 1983 and before April 22, 2008 shall not exceed 10 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 visible emissions observation. When determining compliance with the opacity limit, the duration of the Method 9 observations must be 30 minutes (five 6 minute averages). Compliance will be based on the average of the five 6 minute averages.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-9: Compliance Demonstration**

**Effective between the dates of 05/30/2013 and 07/25/2022**

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

**Item 1-9.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-AG001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 1-9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

**Monitoring Description:**

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

The owner/operator must initiate corrective action within 24 hours and complete the corrective action as expeditiously as practical if the owner/operator finds that water is not flowing properly during an inspection of the water spray nozzles.

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

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

Monitoring Frequency: MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 22: Modifications to opacity observation techniques  
Effective between the dates of 08/14/2012 and 07/25/2022**

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

**OOO**

**Item 22.1:**

This Condition applies to Emission Unit: U-AG001

**Item 22.2:**

In determining compliance with the particulate matter standards in 40 CFR 60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in 40 CFR 60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

**Condition 1-10: Compliance Demonstration  
Effective between the dates of 05/30/2013 and 07/25/2022**

**Applicable Federal Requirement:40CFR 60.675(g), NSPS Subpart OOO**

**Item 1-10.1:**

The Compliance Demonstration activity will be performed for:

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Emission Unit: U-AG001

**Item 1-10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must notify the Department at least 7 days in advance of any Method 9 performance testing required by 40 CFR 60 Subpart OOO.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 1-11: Compliance Demonstration**

**Effective between the dates of 05/30/2013 and 07/25/2022**

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

**Item 1-11.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-AG001

Process: 009

Emission Source: CRS8

**Item 1-11.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from any crusher constructed on or after April 22, 2008 shall not exceed 12 percent opacity.

A Method 9 opacity observation must be performed within 180 days after equipment start-up. The duration of the Method 9 observation must be 30 minutes (five 6 minute averages). Compliance will be based on the average of the five 6 minute averages. Observation results shall be submitted to the Department within 60 days after completion.

Parameter Monitored: OPACITY

Upper Permit Limit: 12 percent

Reference Test Method: Method 9

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE





**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Emergency Defense - 6 NYCRR 201-1.5**

An emergency 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 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 B: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 23: Contaminant List**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable State Requirement:ECL 19-0301**

**Item 23.1:**

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

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

CAS No: 007446-09-5  
Name: SULFUR DIOXIDE



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

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

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

**Condition 1-12: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 05/30/2013 and 07/25/2022**

**Applicable State Requirement: 6 NYCRR 201-1.4**

**Replaces Condition(s) 24**

**Item 1-12.1:**

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

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

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

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

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**Condition 25: Emission Unit Definition**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 25.1(From Mod 2):**

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

Emission Unit: U-AG001

Emission Unit Description:

Crushed stone processing plant consists of four crushers, six screens, approximately twenty-six belt conveyors, and one screw conveyor. There are two sections: (1) the primary section with two crushers, one screen, and six conveyors; and (2) the stone wash section with two crushers, five screens, twenty conveyors, and one screw conveyor. Water spray is used throughout the plant to minimize dust emissions. Electric power for the plant is supplied by utility line power.

**Item 25.2(From Mod 2):**

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

Emission Unit: U-BHMA1

Emission Unit Description:

Hot mix batch asphalt plant with a capacity of 350 tons per hour includes a baghouse on the exhaust, a storage area, feed bins, storage silos, and liquid asphalt heaters. The plant dryer can be fired with natural gas, distillate and residual oil, or waste oil. The plant operates on line electrical power.

**Item 25.3(From Mod 2):**

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

Emission Unit: U-BHMA2

Emission Unit Description:

Hot mix batch asphalt plant with a capacity of 250 tons per hour includes a baghouse on the exhaust, a storage area, feed bins, storage silos, and liquid asphalt heaters. The plant dryer can be fired with a natural gas, distillate and residual oil, and waste oil. The plant operates on line electrical power.

**Condition 1-13: Renewal deadlines for state facility permits**  
**Effective between the dates of 05/30/2013 and 07/25/2022**

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

**Item 1-13.1:**

The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

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**Condition 2-6: Compliance Demonstration**  
**Effective between the dates of 09/15/2014 and 07/25/2022**

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

**Item 2-6.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall  
be submitted to the Regional Air Pollution Control  
Engineer (RAPCE) at the following address:

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 3  
21 South Putt Corners Rd.  
New Paltz, NY 12561

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 27: Visible Emissions Limited**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 27.1:**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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

**Condition 28: Emission Point Definition By Emission Unit**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 28.1(From Mod 0):**

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

Emission Unit: U-BHMA1

Emission Point: 00001

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Height (ft.): 28                      Length (in.): 60                      Width (in.): 36  
NYTMN (km.): 4624.2              NYTME (km.): 598.

**Item 28.2(From Mod 0):**

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

Emission Unit: U-BHMA2

Emission Point: 00002

Height (ft.): 25                      Diameter (in.): 84  
NYTMN (km.): 4624.2              NYTME (km.): 598.

**Condition 29:      Process Definition By Emission Unit**  
**Effective between the dates of 08/14/2012 and 07/25/2022**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 29.1(From Mod 2):**

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

Emission Unit: U-AG001

Process: 009

Source Classification Code: 3-05-020-01

Process Description:

Crushed stone products are processed and washed. Water spray is used to minimize dust emissions. Saturated material is processed by screens SCR8 and 9, and conveyors CNY06, 07, 09, 19, 20, 21, and 22.

Emission Source/Control: WSPRY - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: CNY01 - Process

Design Capacity: 250 tons per hour

Emission Source/Control: CNY02 - Process

Design Capacity: 250 tons per hour

Emission Source/Control: CNY03 - Process

Design Capacity: 250 tons per hour

Emission Source/Control: CNY04 - Process

Design Capacity: 225 tons per hour

Emission Source/Control: CNY05 - Process

Design Capacity: 225 tons per hour

Emission Source/Control: CNY06 - Process

Design Capacity: 225 tons per hour

Emission Source/Control: CNY07 - Process

Design Capacity: 225 tons per hour

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Emission Source/Control: CNY08 - Process  
Design Capacity: 225 tons per hour

Emission Source/Control: CNY09 - Process  
Design Capacity: 225 tons per hour

Emission Source/Control: CNY10 - Process  
Design Capacity: 300 tons per hour

Emission Source/Control: CNY11 - Process  
Design Capacity: 300 tons per hour

Emission Source/Control: CNY12 - Process  
Design Capacity: 350 tons per hour

Emission Source/Control: CNY13 - Process  
Design Capacity: 300 tons per hour

Emission Source/Control: CNY16 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: CNY17 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: CNY18 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: CNY19 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: CNY20 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: CNY21 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: CNY22 - Process  
Design Capacity: 350 tons per hour

Emission Source/Control: CNY23 - Process  
Design Capacity: 250 tons per hour

Emission Source/Control: CNY24 - Process  
Design Capacity: 350 tons per hour

Emission Source/Control: CNY25 - Process  
Design Capacity: 350 tons per hour

Emission Source/Control: CNY26 - Process  
Design Capacity: 350 tons per hour

Emission Source/Control: CNY27 - Process

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Design Capacity: 350 tons per hour

Emission Source/Control: CNY28 - Process  
Design Capacity: 350 tons per hour

Emission Source/Control: CRSH1 - Process  
Design Capacity: 450 tons per hour

Emission Source/Control: CRSH5 - Process  
Design Capacity: 350 tons per hour

Emission Source/Control: CRSH7 - Process  
Design Capacity: 350 tons per hour

Emission Source/Control: CRSH8 - Process  
Design Capacity: 450 tons per hour

Emission Source/Control: SCR10 - Process  
Design Capacity: 500 tons per hour

Emission Source/Control: SCR11 - Process  
Design Capacity: 300 tons per hour

Emission Source/Control: SCR6 - Process  
Design Capacity: 500 tons per hour

Emission Source/Control: SCR7 - Process  
Design Capacity: 300 tons per hour

Emission Source/Control: SCR8 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: SCR9 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: SCR1 - Process  
Design Capacity: 200 tons per hour

**Item 29.2(From Mod 2):**

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

Emission Unit: U-BHMA1

Process: 001

Source Classification Code: 3-05-002-51

Process Description:

Natural gas is used to fuel the hot mix asphalt plant dryer during asphalt production. Particulate emissions are controlled with a fabric filter baghouse.

Emission Source/Control: BAGH1 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BURN1 - Process

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**Facility DEC ID: 3134400008**



**Item 29.3(From Mod 2):**

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

Emission Unit: U-BHMA1

Process: 002

Source Classification Code: 3-05-002-52

Process Description:

Number 2 oil is used to fuel the hot mix asphalt plant  
dryer during asphalt production. Particulate emissions  
are controlled with a fabric filter baghouse.

Emission Source/Control: BAGH1 - Control

Control Type: FABRIC FILTER

Emission Source/Control: BURN1 - Process

**Item 29.4(From Mod 2):**

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

Emission Unit: U-BHMA1

Process: 003

Source Classification Code: 3-05-002-52

Process Description:

Number 4 oil is used to fuel the hot mix asphalt plant  
during asphalt production. Particulate emissions are  
controlled with a fabric filter baghouse.

Emission Source/Control: BAGH1 - Control

Control Type: FABRIC FILTER

Emission Source/Control: BURN1 - Process

**Item 29.5(From Mod 2):**

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

Emission Unit: U-BHMA1

Process: 004

Source Classification Code: 3-05-002-52

Process Description:

Waste Fuel A is used to fuel the hot mix asphalt plant  
during asphalt production. Particulate emissions are  
controlled with a fabric filter baghouse.

Emission Source/Control: BAGH1 - Control

Control Type: FABRIC FILTER

Emission Source/Control: BURN1 - Process

**Item 29.6(From Mod 2):**

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

Emission Unit: U-BHMA2

Process: 005

Source Classification Code: 3-05-002-51

Process Description:

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**Facility DEC ID: 3134400008**



Natural gas is used to fuel the hot mix asphalt plant dryer during asphalt production. Particulate emissions are controlled with a fabric filter baghouse.

Emission Source/Control: BAGH2 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BURN2 - Process

**Item 29.7(From Mod 2):**

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

Emission Unit: U-BHMA2

Process: 006

Source Classification Code: 3-05-002-52

Process Description:

Number 2 oil is used to fuel the hot mix asphalt plant dryer during asphalt production. Particulate emissions are controlled with a fabric filter baghouse.

Emission Source/Control: BAGH2 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BURN2 - Process

**Item 29.8(From Mod 2):**

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

Emission Unit: U-BHMA2

Process: 007

Source Classification Code: 3-05-002-52

Process Description:

Number 4 oil is used to fuel the hot mix asphalt plant dryer during asphalt production. Particulate emissions are controlled with a fabric filter baghouse.

Emission Source/Control: BAGH2 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BURN2 - Process

**Item 29.9(From Mod 2):**

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

Emission Unit: U-BHMA2

Process: 008

Source Classification Code: 3-05-002-52

Process Description:

Waste Fuel A is used to fuel hot mix asphalt plant during asphalt production. Particulate emissions are controlled with a fabric filter baghouse.

Emission Source/Control: BAGH2 - Control  
Control Type: FABRIC FILTER





Emission Source/Control: BURN2 - Process

