

**New York State Department of Environmental Conservation
Facility DEC ID: 3484000128**



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

IDENTIFICATION INFORMATION

Permit Type: Mined Land Reclamation
Permit ID: 3-4840-00128/00003
Effective Date: 08/22/2000 Expiration Date: 08/22/2005

Permit Type: Air State Facility
Permit ID: 3-4840-00128/00005
Effective Date: 08/22/2000 Expiration Date: No expiration date

Permit Issued To: METRO RECYCLING & CRUSHING INC
1364 RTE 9
CASTLETON ON HUDSON, NY 12033

Contact: MARK SERVIDONE
A SERVIDONE INC
1364 US RT 9
CASTLETON ON HUDSON, NY 12033
(518) 732-2040

Facility: PHILLIPSPORT SAND & GRAVEL BANK
PHILLIPSPORT RD
MAMAKATING, NY

Description:

This permit is an Air State Facility permit for Metro Crushing & Recycling, Inc's Phillipsport Sand & Gravel facility. This facility is a portable aggregate crushing and screening plant and includes a diesel generator (rated at 1011 horsepower) which provides electrical power for the plant. Along with the generator, other air emission sources include two crushers, a screen unit, and conveyors. One crusher is rated at 400 tons per hour and the other at 375 tons per hour. The facility must comply with opacity limits for processing equipment emissions (40 CFR 60 Subpart OOO), sulfur limitations in the diesel fuel (6NYCRR Part 225-1), and an opacity limit for generator emissions (6NYCRR Part 227-1).

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: MICHAEL D MERRIMAN
DIVISION OF ENVIRONMENTAL PERMITS
21 SOUTH 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 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 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 and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

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.

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

New York State Department of Environmental Conservation
Facility DEC ID: 3484000128



Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

****** Facility Level ******

**Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 3
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 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: 3-4840-00128/00005

Facility DEC ID: 3484000128

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - Mined Land Reclamation PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: METRO RECYCLING & CRUSHING INC
1364 RTE 9
CASTLETON ON HUDSON, NY 12033

Facility: PHILLIPSPORT SAND & GRAVEL BANK
PHILLIPSPORT RD
MAMAKATING, NY

Authorized Activity By Standard Industrial Classification Code:
1442 - CONSTRUCTION SAND AND GRAVEL

Permit Effective Date: 08/22/2000

Permit Expiration Date: 08/22/2005

Permit Conditions

Air Pollution Control

Page 1 of 2

FINAL

New York State Department of Environmental Conservation
Permit ID: 3-4840-00128/00005 Facility DEC ID: 3484000128



NO CONDITIONS FOR THIS PERMIT

Permit Conditions

Air Pollution Control

Page 2 of 2 FINAL