



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 3-5548-00025/00007
Mod 0 Effective Date: 05/26/2009 Expiration Date: 05/15/2019
Mod 1 Effective Date: 05/16/2014 Expiration Date: 05/15/2019

Permit Issued To: PECKHAM MATERIALS CORP
20 HAARLEM AVE
WHITE PLAINS, NY 10603-2223

Contact: PECKHAM MATERIALS CORP
20 HAARLEM AVE
WHITE PLAINS, NY 10603-2223

Facility: PORT CHESTER ASPHALT FACILITY
1 PURDY AVE
PORT CHESTER, NY 10573

Description:
The Port Chester Asphalt Facility, located in Port Chester, Westchester County, New York, operates a hot mix asphalt plant equipped with a baghouse control device.

Facility emissions have been capped below major stationary source threshold as defined by a permit condition under 6 NYCRR Part 201-7. This cap will establish the facility as a minor source and therefore not subject to the Title V permitting requirements of 6 NYCRR Part 201-6. The facility is subject to New Source Performance Standards 40 CFR Part 60 Subpart I - Standards of Performance for Hot Mix Asphalt Facilities as well as monitoring and reporting requirements under 6 NYCRR Parts 201 and 212.

Mod 1

This department initiated modification is being conducted in order to address certain reporting frequency changes as well as new regulation changes that needed to be added to this permit. New sulfur content limits have been added under 225, as well as new tune-up requirements for the dryer burner and low NOx burner replacement requirements under 212. State facility permits now require a ten year renewal date under 201. Reporting frequencies for opacity levels have been changed from 'annual' to 'upon request'. All other changes made were due to minor administrative updates to the regulations.

New York State Department of Environmental Conservation
Facility DEC ID: 3554800025



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
 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
 - 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 1-1: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 1-1.1:

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.

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 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: 3-5548-00025/00007

Facility DEC ID: 3554800025



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: PECKHAM MATERIALS CORP
20 HAARLEM AVE
WHITE PLAINS, NY 10603-2223

Facility: PORT CHESTER ASPHALT FACILITY
1 PURDY AVE
PORT CHESTER, NY 10573

Authorized Activity By Standard Industrial Classification Code:
2951 - PAVING MIXTURES AND BLOCKS

Mod 0 Permit Effective Date: 05/26/2009

Permit Expiration Date: 05/15/2019

Mod 1 Permit Effective Date: 05/16/2014

Permit Expiration Date: 05/15/2019



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 200.7: Maintenance of Equipment
- 3 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 1-1 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- *1-2 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 6 6 NYCRR 202-1.3: Acceptable procedures
- 1-3 6 NYCRR 211.1: Air pollution prohibited
- 1-4 6 NYCRR 212.6 (a): Compliance Demonstration
- 1-5 6 NYCRR 212.12 (a) (1): Compliance Demonstration
- 1-6 6 NYCRR 212.12 (a) (2): Compliance Demonstration
- 1-7 6 NYCRR 212.12 (b): Compliance Demonstration
- 1-8 6 NYCRR 225-1.2 (d): Compliance Demonstration
- 1-9 6 NYCRR 225-1.2 (f): Compliance Demonstration
- 1-10 6 NYCRR 225-1.2 (h): Compliance Demonstration
- 1-11 6 NYCRR 225-1.2 (i): Compliance Demonstration
- 1-12 6 NYCRR 225-2.3 (b) (3): Compliance Demonstration
- 1-13 6 NYCRR 225-2.7: Compliance Demonstration
- 1-14 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
- 1-15 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

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- 14 ECL 19-0301: Contaminant List
- 1-16 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 16 6 NYCRR Subpart 201-5: Emission Unit Definition
- 1-17 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 1-18 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 1-19 6 NYCRR 211.2: Visible Emissions Limited
- 1-20 6 NYCRR 211.2: Compliance Demonstration

Emission Unit Level

- 19 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 20 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: 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 F: 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 G: 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 H: 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 I: Proof of Eligibility for Sources Defined as Trivial 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 J: Required Emission Tests - 6 NYCRR 202-1.1

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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 K: 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 L: 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 M: 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 1: Acceptable Ambient Air Quality

New York State Department of Environmental Conservation

Permit ID: 3-5548-00025/00007

Facility DEC ID: 3554800025



Effective between the dates of 05/26/2009 and 05/15/2019

Applicable Federal Requirement:6 NYCRR 200.6

Item 1.1:

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.

Condition 2: Maintenance of Equipment

Effective between the dates of 05/26/2009 and 05/15/2019

Applicable Federal Requirement:6 NYCRR 200.7

Item 2.1:

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 3: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 05/26/2009 and 05/15/2019

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 3.1:

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.

Condition 1-1: Facility Permissible Emissions

Effective between the dates of 05/16/2014 and 05/15/2019

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 1-1.1:

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:

CAS No: 0NY210-00-0 (From Mod 1) PTE: 45,000 pounds
per year

Name: OXIDES OF NITROGEN

Condition 1-2: Capping Monitoring Condition

Effective between the dates of 05/16/2014 and 05/15/2019



Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 1-2.1:

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 1-2.2:

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

Item 1-2.3:

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 1-2.4:

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 1-2.5:

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 1-2.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0	CARBON MONOXIDE
CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY998-00-0	VOC
CAS No: 0NY100-00-0	TOTAL HAP
CAS No: 0NY210-00-0	OXIDES OF NITROGEN

Item 1-2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

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Monitoring Description:

Facility wide emissions will be limited to less than major source thresholds with a federal enforceable emission cap. Compliance will be demonstrated by limiting the quantity of hot mix asphalt to 375,000 tons per year (annual maximum rolled monthly).

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALTIC CONCRETE

Upper Permit Limit: 375000 tons

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 6: Acceptable procedures
Effective between the dates of 05/26/2009 and 05/15/2019

Applicable Federal Requirement:6 NYCRR 202-1.3

Item 6.1:

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 1-3: Air pollution prohibited
Effective between the dates of 05/16/2014 and 05/15/2019

Applicable Federal Requirement:6 NYCRR 211.1

Item 1-3.1:

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 1-4: Compliance Demonstration
Effective between the dates of 05/16/2014 and 05/15/2019

Applicable Federal Requirement:6 NYCRR 212.6 (a)

Replaces Condition(s) 7

Item 1-4.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-4.2:

Compliance Demonstration shall include the following monitoring:

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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% or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions whenever a process is in operation. If any visible emissions are identified, corrective action is required. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

All records must be kept on site and made available to the Department upon request.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-5: Compliance Demonstration

Effective between the dates of 05/16/2014 and 05/15/2019

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

Item 1-5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-5.2:

Compliance Demonstration shall include the following monitoring:

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. Records must be kept that contain the date of the tune-up, the company conducting the tune-up, and maintenance procedures performed during the tune-up. Annual reporting required.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

New York State Department of Environmental Conservation

Permit ID: 3-5548-00025/00007

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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 1-6: Compliance Demonstration
Effective between the dates of 05/16/2014 and 05/15/2019

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

Item 1-6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-6.2:

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. Details of this plan must be kept on site and made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-7: Compliance Demonstration
Effective between the dates of 05/16/2014 and 05/15/2019

Applicable Federal Requirement:6 NYCRR 212.12 (b)

Item 1-7.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-7.2:

Compliance Demonstration shall include the following monitoring:

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

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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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-8: Compliance Demonstration
Effective between the dates of 07/01/2014 and 05/15/2019

Applicable Federal Requirement:6 NYCRR 225-1.2 (d)

Item 1-8.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-8.2:

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 firing of residual oil with a sulfur content of 0.37% on or after July 1, 2014. Compliance will be demonstrated by maintaining records on site of fuel consumption data for oil purchased, as well as the name of the fuel supplier. Records must be made available to the Department upon request.

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: 0.37 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 1-9: Compliance Demonstration
Effective between the dates of 05/16/2014 and 05/15/2019

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

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Item 1-9.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The facility shall not purchase distillate fuel (No. 2) containing sulfur exceeding 0.0015% by weight, as per the new sulfur content limit stated in 6 NYCRR 225. Facilities shall maintain records that certify sulfur in fuel content is in compliance for every delivery. These records shall be maintained on site and available for Department review upon request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 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 1-10: Compliance Demonstration

Effective between the dates of 07/01/2016 and 05/15/2019

Applicable Federal Requirement: 6 NYCRR 225-1.2 (h)

Item 1-10.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The facility shall not fire distillate fuel containing sulfur exceeding 0.0015% by weight, after July 1, 2016, as per the new sulfur content limit stated in 6 NYCRR 225. Facilities shall maintain records that certify sulfur in fuel content is in compliance for every delivery. These records shall be maintained on site and available for Department review upon request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

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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 1-11: Compliance Demonstration

Effective between the dates of 07/01/2014 and 05/15/2019

Applicable Federal Requirement: 6 NYCRR 225-1.2 (i)

Item 1-11.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-11.2:

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 waste oil on or after July 1, 2014
are limited to the firing of waste oil with 0.75 percent
sulfur by weight or less.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.75 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 1-12: Compliance Demonstration

Effective between the dates of 05/16/2014 and 05/15/2019

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

Replaces Condition(s) 10

Item 1-12.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

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This condition refers to EU 000001, EP P0001, Process 002. Testing must show at least 99% combustion efficiency of waste fuel A. Combustion efficiency shall be measured by the relative concentration of CO₂ and CO in the flue gas in accordance with EPA Method 3A pursuant to 6 NYCRR 225-2. Results from waste fuel combustion performance testing must be maintained on site and made available to the Department upon request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Permit Limit: 99 percent

Reference Test Method: EPA Method 3A

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-13: Compliance Demonstration

Effective between the dates of 05/16/2014 and 05/15/2019

Applicable Federal Requirement: 6 NYCRR 225-2.7

Replaces Condition(s) 11

Item 1-13.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must maintain analytical sampling results for waste fuel received and fired in accordance with 6 NYCRR Part 225-2. The following parameters and allowable limits apply:

Polychlorinated Biphenyls (PCB)	< 50 ppm
Total Halogen	1,000 ppm maximum
Sulfur	0.75 % by weight
Lead	250 ppm maximum
Heat Content	125,000 BTU/gal minimum

In addition a combustion efficiency of at least 99% must be demonstrated while burning waste fuel A.

Sampling shall be conducted per 7,000 gallon delivery.

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Records must be kept on site and made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-14: Compliance Demonstration

Effective between the dates of 05/16/2014 and 05/15/2019

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

Item 1-14.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

On and after the date on which the performance test required to be conducted is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which contain particulate matter in excess of 0.04 gr/dscf. Monitoring shall be conducted during plant operation. All records shall be kept on site and provided to the Department upon request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-15: Compliance Demonstration

Effective between the dates of 05/16/2014 and 05/15/2019

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

Item 1-15.1:

The Compliance Demonstration activity will be performed for the Facility.

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Item 1-15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

On and after the date on which the performance test required to be conducted is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which exhibit 20% opacity, or greater.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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 - 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 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 law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

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Condition 14: Contaminant List

Effective between the dates of 05/26/2009 and 05/15/2019

Applicable State Requirement:ECL 19-0301

Item 14.1:

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

CAS No: 0NY100-00-0

Name: TOTAL HAP

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0

Name: VOC

Condition 1-16: Malfunctions and start-up/shutdown activities

Effective between the dates of 05/16/2014 and 05/15/2019

Applicable State Requirement:6 NYCRR 201-1.4

Replaces Condition(s) 15

Item 1-16.1:

(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

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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.

Condition 16: Emission Unit Definition
Effective between the dates of 05/26/2009 and 05/15/2019

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 16.1(From Mod 0):

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

Emission Unit: 0-00001

Emission Unit Description:

Liquid asphalt, various sizes of aggregate, sand, and recycled asphalt pavement (RAP) are combined to produce hot mix asphalt (HMA). Liquid asphalt is stored in heated above-ground tanks. Aggregate, sand and RAP are stored in stockpiles on site. The aggregate, sand, RAP and liquid asphalt are heated and blended in a rotary dryer to produce HMA. The dryer is vented to a baghouse. The plant's dryer burner can run on either #2 fuel oil, #4 fuel oil or specification waste oil (waste fuel A).

Building(s): HMAP

Condition 1-17: Renewal deadlines for state facility permits
Effective between the dates of 05/16/2014 and 05/15/2019

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

Item 1-17.1:

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.

Condition 1-18: Compliance Demonstration
Effective between the dates of 05/16/2014 and 05/15/2019

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

Item 1-18.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-18.2:

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: 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 1-19: Visible Emissions Limited

Effective between the dates of 05/16/2014 and 05/15/2019

Applicable State Requirement:6 NYCRR 211.2

Replaces Condition(s) 17

Item 1-19.1:

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.

Condition 1-20: Compliance Demonstration

Effective between the dates of 05/16/2014 and 05/15/2019

Applicable State Requirement:6 NYCRR 211.2

Replaces Condition(s) 18

Item 1-20.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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No waste oil is to be used for fugitive dust control. Plant roadways and stockpiles must be watered and/or treated with an approved dust suppressant, as appropriate, and speed limited to preclude emissions of dust which is determined to be in violation of 6 NYCRR 211.2 which states:

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 properly, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits.

If complaints of current excess dust are received, then the facility must immediately apply corrective measure, as necessary to comply with the requirements of 6 NYCRR 211.2 as noted above. A log of any complaints received must be kept in a bound logbook or other format acceptable to the Department.

The following data must be recorded for each observation:

- The date and time of the complaint,
- The name, address and phone # of the complainant (if given),
- The complainants description of the complaint,
- The facility's evaluation of the complaint, and
- The corrective measures taken.

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

All records must be kept on site and made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 19: Emission Point Definition By Emission Unit
Effective between the dates of 05/26/2009 and 05/15/2019

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 19.1(From Mod 0):

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

Emission Unit: 0-00001

Emission Point: P0001

Height (ft.): 39

Diameter (in.): 63

NYTMN (km.): 4539.2

NYTME (km.): 612.7

Condition 20: Process Definition By Emission Unit
Effective between the dates of 05/26/2009 and 05/15/2019

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 20.1(From Mod 0):

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

Emission Unit: 0-00001

Process: 001

Source Classification Code: 3-05-002-05

Process Description:

Hot mix asphalt production firing on #2 or #4 fuel oil.

Emission Source/Control: 00001 - Control

Control Type: FABRIC FILTER

Emission Source/Control: DRYER - Process

Design Capacity: 375,000 tons per year

Item 20.2(From Mod 0):

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

Emission Unit: 0-00001

Process: 002

Source Classification Code: 3-05-002-05

Process Description:

Hot mix asphalt production firing on waste fuel A (waste oil).

Emission Source/Control: 00001 - Control

Control Type: FABRIC FILTER

Emission Source/Control: DRYER - Process

Design Capacity: 375,000 tons per year

