



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 4-2726-00002/00025
Mod 0 Effective Date: 07/26/2000 Expiration Date: No expiration date.
Mod 1 Effective Date: 12/27/2001 Expiration Date: No expiration date.
Mod 2 Effective Date: 10/08/2010 Expiration Date: No expiration date.

Permit Issued To: CUSHING STONE CO INC
725 ST RTE 5S
AMSTERDAM, NY 12010

Contact: DAN KLEESCHULTE
COBLESKILL STONE PRODUCTS INC
PO BOX 220
COBLESKILL, NY 12043
(607) 432-8321

Facility: CRANESVILLE QUARRY & ASPHALT PLANT
725 ST RTE 5S
AMSTERDAM, NY 12010

Contact: RONDAL MORGAN
CUSHING STONE COMPANY INC
725 ST HWY 5S
AMSTERDAM, NY 12010
(518) 887-2521

Description:

The modification is to change the existing permit Condition #26 from reading the photohelic gauge with a pressure range of 0.05" to 0.5" to reading the magnohelic gauge with a pressure range of 1.0" to 10.0" and existing permit Condition #27 from reading the photohelic gauge with a pressure range of 0.20" to 0.80" to reading the magnohelic gauge with a pressure range of 1.0" to 9.0".

New York State Department of Environmental Conservation
Facility DEC ID: 4272600002



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: NANCY M BAKER
 NYSDEC
 1130 N WESTCOTT RD
 SCHENECTADY, NY 12306-2014

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
 - 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 4 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 4 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 2-1: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 2-1.1:

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 2-1.2:

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 2-1.3:

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.



Department

Applicable State Requirement: 6 NYCRR 621.13

Item 2-2.1:

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.

Condition 3: Applications for Permit Renewals and Modifications

Applicable State Requirement: 6 NYCRR 621.13 (a)

Expired by Mod No: 2

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: 6 NYCRR 621.14

Expired by Mod No: 2

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 4 HEADQUARTERS



Applicable State Requirement: 6 NYCRR 621.5 (a)

Expired by Mod No: 2

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1150 North Wescott Rd.
Schenectady, NY 12306-2014
(518) 357-2068

Condition 2-3: Submission of application for permit modification or renewal-REGION 4

HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 2-3.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: CUSHING STONE CO INC
725 ST RTE 5S
AMSTERDAM, NY 12010

Facility: CRANESVILLE QUARRY & ASPHALT PLANT
725 ST RTE 5S
AMSTERDAM, NY 12010

Authorized Activity By Standard Industrial Classification Code:
1422 - CRUSHED AND BROKEN LIMESTONE
2951 - PAVING MIXTURES AND BLOCKS

Mod 0 Permit Effective Date: 07/26/2000
date.

Permit Expiration Date: No expiration

Mod 1 Permit Effective Date: 12/27/2001
date.

Permit Expiration Date: No expiration

Mod 2 Permit Effective Date: 10/08/2010
date.

Permit Expiration Date: No expiration



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 2-1 6 NYCRR 202-1.1: Required Emissions Tests
- 1 6 NYCRR 200.5: Sealing
- 4 6 NYCRR 201-1.2: Unpermitted Emission Sources
- 9 6 NYCRR 201-1.10 (a): Public Access to Recordkeeping
- 2-2 6 NYCRR 201-7.2: Facility Permissible Emissions
- *2-3 6 NYCRR 201-7.2: Capping Monitoring Condition
- *2-4 6 NYCRR 201-7.2: Capping Monitoring Condition
- 18 6 NYCRR 211.4: VOC prohibited
- 20 6 NYCRR 225-1.2 (a) (2): Compliance Demonstration
- 21 6 NYCRR 225-1.8 (a): Compliance Demonstration
- 22 6 NYCRR 227-1.6 (a): Corrective action.
- 23 6 NYCRR 227-1.6 (b): Corrective action.
- 24 6 NYCRR 227-1.6 (c): Corrective action.
- 25 6 NYCRR 227-1.6 (d): Corrective action.

Emission Unit Level

EU=1-BC001

- 2-5 6 NYCRR 212.4 (a): Compliance Demonstration
- 27 6 NYCRR 212.6 (a): Compliance Demonstration
- 28 6 NYCRR 212.6 (a): Compliance Demonstration
- 29 40CFR 60.92, NSPS Subpart I: Compliance Demonstration
- 30 40CFR 60.92, NSPS Subpart I: Compliance Demonstration

EU=1-BC002

- 2-6 6 NYCRR 212.4 (a): Compliance Demonstration
- 32 6 NYCRR 212.6 (a): Compliance Demonstration
- 33 6 NYCRR 212.6 (a): Compliance Demonstration
- 34 40CFR 60.92, NSPS Subpart I: Compliance Demonstration
- 35 40CFR 60.92, NSPS Subpart I: Compliance Demonstration

EU=1-BCGS1

- 36 6 NYCRR 227-1.3 (a): Compliance Demonstration
- 37 6 NYCRR 227-1.3 (a): Compliance Demonstration

EU=1-BCGS2

- 38 6 NYCRR 227-1.3 (a): Compliance Demonstration
- 39 6 NYCRR 227-1.3 (a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 2-7 ECL 19-0301: Contaminant List
- 2-8 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 40 6 NYCRR Subpart 201-5: General Provisions
- 1-3 6 NYCRR Subpart 201-5: Permit Exclusion Provisions
- 41 6 NYCRR Subpart 201-5: Emission Unit Definition
- 2-9 6 NYCRR 211.2: Air pollution prohibited



Emission Unit Level

- 44 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 45 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



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: Visible Emissions Limited - 6 NYCRR 211.3

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

Item L: Open Fires 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 M: Permit Exclusion - ECL 19-0305

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

Item N: Federally Enforceable Requirements - 40 CFR 70.6 (b)

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



regulations.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 2-1: Required Emissions Tests
Effective between the dates of 10/08/2010 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 2-1.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 1: Sealing
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 200.5

Item 1.1:

(a) 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 labelling 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.

(b) 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.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 4: Unpermitted Emission Sources
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-1.2

Item 4.1:

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

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



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

Condition 9: Public Access to Recordkeeping
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-1.10 (a)

Item 9.1:

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.

Condition 2-2: Facility Permissible Emissions
Effective between the dates of 10/08/2010 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 2-2.1:

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

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

CAS No: 000630-08-0 (From Mod 2) PTE: 188,000 pounds
per year

Name: CARBON MONOXIDE

CAS No: 0NY210-00-0 (From Mod 2) PTE: 163,100 pounds
per year

Name: OXIDES OF NITROGEN

Condition 2-3: Capping Monitoring Condition
Effective between the dates of 10/08/2010 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 2-3.1:

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

6 NYCRR Subpart 201-6

Item 2-3.2:



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

Item 2-3.3:

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

Item 2-3.4:

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

Item 2-3.5:

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

Item 2-3.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 2-3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The applicant shall maintain records on site which indicate the emissions of carbon monoxide will be less than or equal to 188,000 pounds over any twelve (12) consecutive months.

Emissions will be calculated monthly using the following formula:

$$(A \times 0.40) + (B \times 0.40) + (C \times 0.13) + (D \times 0.13) + (E \times 0.012) + (F \times 0.012) = Z$$

where

A = Emission Unit 1-BC001 monthly product tonnage when using natural gas

B = Emission Unit 1-BC001 monthly product tonnage when



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 2-4.5:

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

Item 2-4.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2-4.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The applicant shall maintain records on site which indicate the emissions of oxides of nitrogen will be less than or equal to 163,100 pounds over any twelve (12) consecutive months.

Emissions will be calculated monthly using the following formula:

$$(A \times 0.025) + (B \times 0.12) + (C \times 0.026) + (D \times 0.055) + (E \times 0.345) + (F \times 0.345) = Y$$

where

A = Emission Unit 1-BC001 monthly product tonnage when using natural gas

B = Emission Unit 1-BC001 monthly product tonnage when using number 2 fuel oil

C = Emission Unit 1-BC002 monthly product tonnage when using natural gas

D = Emission Unit 1-BC002 monthly product tonnage when using number 2 fuel oil

E = Emission Unit 1-BCGS1 monthly gallons burned when using number 2 fuel oil

F = Emission Unit 1-BCGS2 monthly gallons burned when using number 2 fuel oil

Y = Total monthly oxides of nitrogen emissions in pounds

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



Production records for Emission Unit 1-BC001 and Emission Unit 1-BC002 will be maintained on site for a five (5) year period. Fuel usage in gallons burned for Emission Unit 1-BCGS1 and Emission Unit 1-BCGS2 will be maintained on site for a five (5) year period.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 163100 pounds
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 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 18: VOC prohibited
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 211.4

Item 18.1:

The use of Volatile Organic Compounds to liquefy asphalt used for paving is prohibited, except for:

- (1) asphalt used in the production of long-life stockpile material for pavement patching and repair:
- (2) asphalt applied at low ambient temperature from October 16th to May 1st; and
- (3) asphalt used as a penetrating prime coat for the purpose of preparing an untreated absorbent surface to receive an asphalt surface.

Condition 20: Compliance Demonstration
Effective between the dates of 07/26/2000 and Permit Expiration Date

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

Item 20.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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



(3) the fuel is changed to an acceptable type.

Condition 23: Corrective action.

Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.6 (b)

Item 23.1:

The commissioner may seal the affected stationary combustion installation that does not comply with the provisions in subdivision 6 NYCRR 227-1.6(a) within the time provided.

Condition 24: Corrective action.

Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.6 (c)

Item 24.1:

No person shall cause, permit, or allow the operation of any affected stationary combustion installation sealed by the commissioner in accordance with this section.

Condition 25: Corrective action.

Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.6 (d)

Item 25.1:

No person except the commissioner or his representative shall remove, tamper with, or destroy any seal affixed to any affected stationary combustion installation.

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

Condition 2-5: Compliance Demonstration

Effective between the dates of 10/08/2010 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 2-5.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BC001

Item 2-5.2:

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 that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of this Part for the

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



environmental rating issued by the commissioner.

Compliance with the requirement will be accomplished by monitoring the pressure differential across the baghouse (fabric filter) using a magnehelic gauge on a daily basis.

The daily records of the pressure differential readings are to be maintained, including corrective actions taken and maintenance activities, on site for a period of five years.

Parameter Monitored: PRESSURE

Lower Permit Limit: 2.0 inches of water

Upper Permit Limit: 8.0 inches of water

Monitoring Frequency: DAILY

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED RANGE AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 27: Compliance Demonstration
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 212.6 (a)

Item 27.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BC001

Item 27.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a visible emissions observation (determining the presence or absence of visible emissions above the limit specified) of all emission points and/or emission sources once per day, during daylight hours, except during conditions of extreme weather (fog, snow, rain). If any visible emissions are noted above the limit specified, corrective action is required.

Daily records of observations are to be maintained, including corrective actions taken and explanations for days when weather conditions are prohibitive, on-site for a period of five years.

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 28: Compliance Demonstration
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 212.6 (a)

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BC001

Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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 (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 29: Compliance Demonstration
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.92, NSPS Subpart I

Item 29.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BC001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 29.2:

Compliance Demonstration shall include the following monitoring:



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

On and after the date on which the performance test required to be conducted by 40 CFR 60.8 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.

A performance test shall be performed within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such times as may be required as indicated and in accordance with 40 CFR 60.8.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: Method 5

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 30: Compliance Demonstration

Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.92, NSPS Subpart I

Item 30.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BC001

Item 30.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the date on which the performance test required to be conducted by 40 CFR 60.8 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 percent opacity, or greater.

A performance test shall be performed within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such times as may be required as indicated and in accordance

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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 (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 34: Compliance Demonstration
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.92, NSPS Subpart I

Item 34.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BC002

Item 34.2:
Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the date on which the performance test required to be conducted by 40 CFR 60.8 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 percent opacity, or greater.

A performance test shall be performed within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such times as may be required as indicated and in accordance with 40 CFR 60.8.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 35: Compliance Demonstration



Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.92, NSPS Subpart I

Item 35.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BC002

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 35.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

On and after the date on which the performance test required to be conducted by 40 CFR 60.8 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.

A performance test shall be performed within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such times as may be required as indicated and in accordance with 40 CFR 60.8.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: Method 5

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 36: Compliance Demonstration

Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.3 (a)

Item 36.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BCGS1

Item 36.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

Compliance with this requirement shall be determined by the facility owner/operator conducting a visible emissions observation (determining the presence or absence of visible emissions greater than the upper limit specified) of all emission points and/or emission sources once per day, during daylight hours, except during conditions of extreme weather (fog, snow, rain). If any visible emissions are noted above the upper limit specified, corrective action is required.

Daily records of observations are to be maintained, including corrective actions taken and explanations for days when weather conditions are prohibitive, on-site for a period of five years.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 37: Compliance Demonstration
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)

Item 37.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BCGS1

Item 37.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



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 (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 38: Compliance Demonstration
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.3 (a)

Item 38.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BCGS2

Item 38.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

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 (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 39: Compliance Demonstration
Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.3 (a)

Item 39.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BCGS2

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



Item 39.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

Compliance with this requirement shall be determined by the facility owner/operator conducting a visible emissions observation (determining the presence or absence of visible emissions greater than the upper limit specified) of all emission points and/or emission sources once per day, during daylight hours, except during conditions of extreme weather (fog, snow, rain). If any visible emissions are noted above the upper limit specified, corrective action is required.

Daily records of observations are to be maintained, including corrective actions taken and explanations for days when weather conditions are prohibitive, on-site for a period of five years.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 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.



Condition 2-7: Contaminant List

Effective between the dates of 10/08/2010 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 2-7.1:

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: 0NY075-00-0
Name: PARTICULATES

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

Condition 2-8: Unavoidable noncompliance and violations

Effective between the dates of 10/08/2010 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-1.4

Item 2-8.1:

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

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

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

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

Condition 40: General Provisions

Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 40.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 40.2:

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.

Item 40.3:

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.

Condition 1-3: Permit Exclusion Provisions

Effective between the dates of 12/27/2001 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



Item 1-3.1:

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 currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant 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 by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements contained in such order or modification thereof unless specifically intended by this permit.

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 the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

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 the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 41: Emission Unit Definition

Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 41.1(From Mod 2):

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

Emission Unit: 1-BC001

Emission Unit Description:

200 ton per hour asphaltic bituminous concrete batch plant. Aggregate is metered and conveyed to a rotary dryer. The heated and dried aggregate is classified and fed to a pug mill to be mixed with hot asphaltic cement. Emissions from the rotary dryer, hot screens, hot bins and mixer are ducted to a baghouse (fabric filters, Emission Point 10001). Dust from the baghouse is discharged to a Standard Haven dust storage silo. Dust from the silo is discharged into trucks about twice a day via a valve and chute (Emission Point 10007).

Item 41.2(From Mod 2):

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

Emission Unit: 1-BC002

Emission Unit Description:



300 tons per hour Standard Haven asphaltic concrete drum mix plant. Aggregate is metered and conveyed to the drum mixer. Aggregate and asphalt cement is fed into the drum mixer to be heated and mixed as a parallel flow. The asphaltic concrete is discharged at the end of the drum and conveyed to a storage bin. Emissions are collected at the discharge end of the drum and ducted to a baghouse (fabric filter, Emission Point 10008).

Item 41.3(From Mod 0):

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

Emission Unit: 1-BCGS1

Emission Unit Description:

INTERNAL COMBUSTION ENGINE BURNING DIESEL FUEL POWERING A GENERATOR. EMISSIONS PRODUCED BY THE INTERNAL COMBUSTION ENGINE ARE VENTED THROUGH A STACK. THE GENERATOR SET POWERS THE DRUM MIX ASPHALTIC CONCRETE PLANT LOCATED AT THE FACILITY.

Item 41.4(From Mod 0):

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

Emission Unit: 1-BCGS2

Emission Unit Description:

INTERNAL COMBUSTION ENGINE BURNING DIESEL FUEL POWERING A GENERATOR. EMISSIONS PRODUCED BY THE INTERNAL COMBUSTION ENGINE ARE VENTED THROUGH A STACK. THE GENERATOR SET WILL POWER THE BATCH MIX ASPHALTIC CONCRETE PLANT AT THE FACILITY.

Condition 2-9: Air pollution prohibited

Effective between the dates of 10/08/2010 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

Item 2-9.1:

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.

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

Condition 44: Emission Point Definition By Emission Unit

Effective between the dates of 07/26/2000 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5



Item 44.1(From Mod 2):

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

Emission Unit: 1-BC001

Emission Point: 10001
Height (ft.): 37 Length (in.): 45 Width (in.): 45
NYTMN (km.): 4751.624 NYTME (km.): 569.933

Item 44.2(From Mod 2):

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

Emission Unit: 1-BC002

Emission Point: 10008
Height (ft.): 23 Length (in.): 49 Width (in.): 33
NYTMN (km.): 4751.624 NYTME (km.): 569.933

Item 44.3(From Mod 0):

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

Emission Unit: 1-BCGS1

Emission Point: 20017
Height (ft.): 12 Diameter (in.): 8
NYTMN (km.): 4751.624 NYTME (km.): 569.933

Item 44.4(From Mod 0):

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

Emission Unit: 1-BCGS2

Emission Point: GS003
Height (ft.): 12 Diameter (in.): 8
NYTMN (km.): 4751.624 NYTME (km.): 569.933

**Condition 45: Process Definition By Emission Unit
Effective between the dates of 07/26/2000 and Permit Expiration Date**

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 45.1(From Mod 2):

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

Emission Unit: 1-BC001
Process: BC1 Source Classification Code: 3-05-002-01
Process Description:

The production of bituminous concrete (asphaltic concrete) at the batch mix plant with number 2 fuel oil used for fuel. Aggregate is metered and conveyed to a rotary dryer. The heated and dried aggregate is

New York State Department of Environmental Conservation

Permit ID: 4-2726-00002/00025

Facility DEC ID: 4272600002



classified and emptied into a pug mill to be mixed with hot asphaltic cement. Emissions from the rotary dryers, elevators, hot screens, hot bins and pug mill are ducted to a fabric filter.

Emission Source/Control: 00001 - Control
Control Type: FABRIC FILTER

Emission Source/Control: S0001 - Process
Design Capacity: 200 tons per hour

Item 45.2(From Mod 2):

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

Emission Unit: 1-BC001
Process: BC3 Source Classification Code: 3-05-002-01
Process Description:

The production of bituminous concrete (asphaltic concrete) at the batch mix plant with natural gas used for fuel. Aggregate is metered and conveyed to a rotary dryer. The heated and dried aggregate is classified and emptied into a pug mill to be mixed with hot asphaltic cement. Emissions from the rotary dryers, elevators, hot screens and pug mill are ducted to a fabric filter.

Emission Source/Control: 00001 - Control
Control Type: FABRIC FILTER

Emission Source/Control: S0001 - Process
Design Capacity: 200 tons per hour

Item 45.3(From Mod 2):

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

Emission Unit: 1-BC002
Process: BC2 Source Classification Code: 3-05-002-05
Process Description:

The production of bituminous concrete (asphaltic concrete) at the drum mix plant with number 2 fuel oil used for fuel. Aggregate and asphalt cement is fed into the drum mixer, heated and mixed, then discharged onto a conveyor to be transferred to a surge bin. Emissions are collected at the discharge end of the drum mixer and ducted to a baghouse (fabric filter).

Emission Source/Control: 00003 - Control
Control Type: FABRIC FILTER

Emission Source/Control: S0003 - Process
Design Capacity: 300 tons per hour

Item 45.4(From Mod 2):



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

Emission Unit: 1-BC002
Process: BC4 Source Classification Code: 3-05-002-05
Process Description:

The production of bituminous concrete (asphalt concrete) at the drum mix plant with natural gas used for fuel. Aggregate and asphaltic cement are fed into the drum mixer, heated and mixed, then discharged into a conveyor to be transferred to a surge bin. Emissions are collected at the discharge end of the drum mixer and ducted to a baghouse (fabric filter).

Emission Source/Control: 00003 - Control
Control Type: FABRIC FILTER

Emission Source/Control: S0003 - Process
Design Capacity: 300 tons per hour

Item 45.5(From Mod 0):

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

Emission Unit: 1-BCGS1
Process: IC1 Source Classification Code: 2-02-004-01
Process Description:

INTERNAL COMBUSTION ENGINE BURNING DIESEL FUEL. DIESEL ENGINE TURNS A GENERATOR PRODUCING ELECTRICITY TO POWER THE DRUM MIX ASPHALTIC CONCRETE PLANT LOCATED AT THE FACILITY.

Emission Source/Control: 00004 - Combustion
Design Capacity: 817 horsepower (mechanical)

Item 45.6(From Mod 0):

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

Emission Unit: 1-BCGS2
Process: IC2 Source Classification Code: 2-02-004-01
Process Description:

INTERNAL COMBUSTION ENGINE BURNING DIESEL FUEL. DIESEL ENGINE TURNS A GENERATOR PRODUCING ELECTRICITY TO POWER THE BATCH MIX ASPHALTIC CONCRETE PLANTS LOCATED AT THE FACILITY.

Emission Source/Control: 00005 - Combustion
Design Capacity: 817 horsepower (mechanical)

