

**New York State Department of Environmental Conservation  
Facility DEC ID: 4381700055**



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 4-3817-00055/00005  
Effective Date: 07/27/2004  
Expiration Date: No expiration date

KING ROAD MATERIALS INC  
PO BOX 15097  
ALBANY, NY 12212-5097

Contact: PETER E ZEH  
CALLANAN INDUSTRIES  
PO BOX 15097  
ALBANY, NY 12212-5097  
(518) 374-2222

KING ROAD MATERIALS INC  
FOOT OF MONROE ST  
TROY, NY 12180

Description:

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 ADAMS  
1150 NORTH WESTCOTT RD  
SCHENECTADY, NY 12306-2014

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

FINAL



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

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

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

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

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

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

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



**LIST OF CONDITIONS**

**GENERAL CONDITIONS**

**General Provisions**

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

Submission of Applications for Permit Modification or Renewal -REGION 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 3: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13**

**Item 3.1:**

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

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual

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transfer of ownership.

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

**Item 4.1:**

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

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

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

**Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 4 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.5(a)**

**Item 5.1:**

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

NYSDEC Regional Permit Administrator

Region 4 Headquarters

Division of Environmental Permits

1150 North Westcott Rd.

Henectady, NY 12306-2014

(518) 357-2069



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: KING ROAD MATERIALS INC

PO BOX 15097

ALBANY, NY 12212-5097

Facility:

KING ROAD MATERIALS INC

FOOT OF MONROE ST

TROY, NY 12180

Authorized Activity By Standard Industrial Classification Code:

2951 - PAVING MIXTURES AND BLOCKS

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**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 6NYCRR 202-1.2: Notification
- 2 6NYCRR 225-2.7(d): Availability of records for Department inspection.
- 3 40CFR 50: Compliance Demonstration

**Emission Unit Level**

**EU=U-BCH01**

- 4 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
- 5 40CFR 60.7(a), NSPS Subpart A: Modification Notification
- 6 40CFR 60.90, NSPS Subpart I: Compliance Demonstration
- 7 40CFR 60.92, NSPS Subpart I: Compliance Demonstration
- 8 40CFR 60.92, NSPS Subpart I: Compliance Demonstration

**EU=U-BCH01,EP=EP001**

- 9 40CFR 60.90, NSPS Subpart I: Compliance Demonstration

**EU=U-BCH01,EP=EP001,Proc=BPA**

- 10 6NYCRR 225-2.3(b)(3): Compliance Demonstration
- 11 6NYCRR 225-2.4(a)(2): Compliance Demonstration
- 12 6NYCRR 225-2.4(a)(2): Compliance Demonstration
- 13 6NYCRR 225-2.4(a)(2): Compliance Demonstration
- 14 6NYCRR 225-2.4(a)(2): Compliance Demonstration
- 15 40CFR 50: Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 16 ECL 19-0301: Contaminant List
- 17 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 18 6NYCRR 201-5: Emission Unit Definition
- 19 6NYCRR 201-7: Facility Permissible Emissions
- \*20 6NYCRR 201-7: Capping Monitoring Condition
- \*21 6NYCRR 201-7: Capping Monitoring Condition
- \*22 6NYCRR 201-7: Capping Monitoring Condition
- \*23 6NYCRR 201-7: Capping Monitoring Condition
- 24 6NYCRR 211.2: Air pollution prohibited
- 25 6NYCRR 211.2: Compliance Demonstration

**Emission Unit Level**

- 26 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 27 6NYCRR 201-5: Process Definition By Emission Unit
- 28 6NYCRR 201-7: Process Permissible Emissions

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NOTE: \* preceding the condition number indicates capping. Permit Effective Date: 07/27/2004  
Permit Expiration Date: No expiration date.





**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6NYCRR Part 200.5**

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

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

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

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

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

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

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

Any person who owns or operates an air contamination

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

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

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

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

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

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

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the Department within two working days after the event

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

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**Item F: Recycling and Salvage - 6NYCRR Part 201-1.7**

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

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

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

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

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

**Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific



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

**Item J: Required Emission Tests - 6 NYCRR Part 202-1.1**

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

**Item K: Visible Emissions Limited - 6 NYCRR Part 211.3**

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

**Item L: Open Fires - 6 NYCRR Part 215**

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

**Item M: Permit Exclusion - ECL 19-0305**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not

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limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

**FEDERAL APPLICABLE REQUIREMENTS**

**The following conditions are federally enforceable.**

**Condition 1: Notification**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 202-1.2**

**Item 1.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 2: Availability of records for Department inspection.**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 225-2.7(d)**

**Item 2.1:**

Any person required to maintain and retain records pursuant to this section must make such records available for inspection by the commissioner or his representative during normal business hours. Such person(s) must furnish copies of such records to the commissioner or his representative upon request.

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**Condition 3: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 50**

**Item 3.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-BCH01 Emission Point: EP001  
Process: BP4

Emission Unit: U-BCH01 Emission Point: EP001  
Process: BPA

Emission Unit: U-BCH01 Emission Point: EP001  
Process: BPO

Regulated Contaminant(s):  
CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Sulfur content of fuel oils and Waste Fuel A limited to insure compliance with the National Ambient Air Quality Standards (NAAQS) and NY State standards for SO<sub>2</sub>. This limit was used in dispersion modeling. Callanan shall retain fuel oil supplier certifications for each supplier. Such certifications shall contain, as a minimum: supplier name, date until certification is valid, and a statement indicating that the oil sulfur content is less than the upper limit. Such certifications must be retained by King Road Materials for five calendar years, kept on site and furnished to the Department upon request.

Process Material: FUEL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.6 percent by weight

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

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Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 4: Applicability of General Provisions of 40 CFR 60 Subpart A**  
**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60, NSPS Subpart A**

**Item 4.1:**

This Condition applies to Emission Unit: U-BCH01

**Item 4.2:**

This emission source is subject to the applicable General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

**Condition 5: Modification Notification**  
**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.7(a), NSPS Subpart A**

**Item 5.1:**

This Condition applies to Emission Unit: U-BCH01

**Item 5.2:**

Any owner or operator subject to 40 CFR Part 60 shall furnish the Administrator and this office with the following information:

- a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR Part 60. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productivity capability of the facility before and after the change, and the expected completion date of the change. The Administrator and/or this Department may request additional information regarding the change.

**Condition 6: Compliance Demonstration**  
**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.90, NSPS Subpart I**

**Item 6.1:**

The Compliance Demonstration activity will be performed for:



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Emission Unit: U-BCH01

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The opacity from an affected hot mix asphalt plant must not exceed 20% based on a 6 minute average.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 7: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.92, NSPS Subpart I**

**Item 7.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-BCH01

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 7.2:**

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 affected facility, 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.



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The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission sources) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department.

Monitoring Frequency: DAILY

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 8: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.92, NSPS Subpart I**

**Item 8.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-BCH01

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

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**DEVICE PARAMETERS AS SURROGATE**

**Monitoring Description:**

THE OPERATOR WILL MONITOR THE PRESSURE DIFFERENTIAL ACROSS THE BAGHOUSE ON A DAILY BASIS. DAILY RECORDS OF THE PRESSURE DIFFERENTIAL READINGS ARE TO BE MAINTAINED, INCLUDING CORRECTIVE ACTIONS TAKEN, ON SITE FOR A PERIOD OF FIVE YEARS.

Parameter Monitored: PRESSURE CHANGE

Lower Permit Limit: 0.5 inches of water

Upper Permit Limit: 10 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 9: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.90, NSPS Subpart I**

**Item 9.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-BCH01 Emission Point: EP001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The particulate matter emissions from an affected hot mix asphalt plant must not exceed 0.04 grains per DSCF.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



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**Condition 10: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

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

**Item 10.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-BCH01 Emission Point: EP001

Process: BPA

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Combustion efficiency shall be at least 99% while burning Waste Fuel A. The facility shall demonstrate the efficiency using a NYSDEC approved protocol and with a NYSDEC witness. The protocol shall be submitted to the regional office within 15 days of permit issuance and the demonstration shall be completed within 30 days of approval of the protocol. A written report of the demonstration shall be submitted to the regional office within 30 days of the demonstration.

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Permit Limit: 99 percent

Reference Test Method: 40 CFR 60 Appendix A

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 11: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 225-2.4(a)(2)**

**Item 11.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-BCH01 Emission Point: EP001

Process: BPA



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**Regulated Contaminant(s):**

CAS No: 007726-95-6    BROMINE  
CAS No: 007782-41-4    FLUORINE  
CAS No: 007782-50-5    CHLORINE  
CAS No: 007553-56-2    IODINE

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

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

**Monitoring Description:**

Waste Fuel A must meet the definition specified in Part 225-2.2(b)(9). Limit is for total halogens. Blending to meet this limit may not be performed in King Road Materials' (KRM) tanks. A copy of the analysis of the fuel received from the deliverer must be retained by KRM for five calendar years for each delivery. Such records shall be kept on site and furnished to the Department upon request.

Process Material: WASTE OIL

Parameter Monitored: TOTAL HALOGENS

Upper Permit Limit: 1000 parts per million by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 12: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 225-2.4(a)(2)**

**Item 12.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-BCH01 Emission Point: EP001

Process: BPA

**Regulated Contaminant(s):**

CAS No: 001336-36-3    POLYCHLORINATED BIPHENYL

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

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

**Monitoring Description:**

Waste Fuel A must meet the definition specified in Part 225-2.2(b)(9). Blending to meet this limit may not be performed in King Road Materials' (KRM) tanks. A copy of the analysis of the fuel received from the deliverer must be retained by KRM for five calendar years for each delivery. Such records shall be kept on site and furnished to the Department upon request.

Process Material: WASTE OIL

Parameter Monitored: HEAT CONTENT

Lower Permit Limit: 125000 British thermal units per  
gallon

Monitoring Frequency: PER DELIVERY

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 13: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 225-2.4(a)(2)**

**Item 13.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-BCH01 Emission Point: EP001

Process: BPA

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

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

**Monitoring Description:**

Waste Fuel A must meet the definition specified in Part 225-2.2(b)(9). Specifically, the fuel shall contain no chemical waste. Blending to meet this limit may not be performed in King Road Materials' (KRM) tanks. A copy of the analysis of the fuel received from the deliverer must



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be retained by KRM for five calendar years for each delivery. Such records shall be kept on site and furnished to the Department upon request.

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 0 percent

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 14: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 225-2.4(a)(2)**

**Item 14.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-BCH01 Emission Point: EP001

Process: BPA

Regulated Contaminant(s):

CAS No: 001336-36-3 POLYCHLORINATED BIPHENYL

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Waste Fuel A must meet the definition specified in Part 225-2.2(b)(9). Blending to meet this limit may not be performed in King Road Materials' (KRM) tanks. A copy of the analysis of the fuel received from the deliverer must be retained by KRM for five calendar years for each delivery. Such records shall be kept on site and furnished to the Department upon request.

Process Material: WASTE OIL

Parameter Monitored: POLYCHLORINATED BIPHENYL

Upper Permit Limit: 50 parts per million by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -



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**SEE MONITORING DESCRIPTION**

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 15: Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 50**

**Item 15.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-BCH01 Emission Point: EP001  
Process: BPA

Regulated Contaminant(s):  
CAS No: 007439-92-1 LEAD

**Item 15.2:**

Compliance Demonstration shall include the following monitoring:

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

**Monitoring Description:**

Lead content of Waste Fuel A limited to insure compliance with the National Ambient Air Quality Standard (NAAQS) for lead. Blending to meet this limit may not be performed in King Road Materials' (KRM) tanks. A copy of the analysis of the fuel received from the deliverer must be retained by KRM for five calendar years for each delivery. Such records shall be kept on site and furnished to the Department upon request.

Process Material: WASTE OIL

Parameter Monitored: LEAD

Upper Permit Limit: 100 parts per million by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -

**SEE MONITORING DESCRIPTION**

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**STATE ONLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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



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law.

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 16: Contaminant List**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

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

**Item 16.1:**

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

CAS No: 000075-07-0

Name: ACETALDEHYDE

CAS No: 007440-38-2

Name: ARSENIC

CAS No: 000071-43-2

Name: BENZENE

CAS No: 007440-41-7

Name: BERYLLIUM

CAS No: 007726-95-6

Name: BROMINE

CAS No: 007440-43-9

Name: CADMIUM

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 007782-50-5

Name: CHLORINE

CAS No: 007440-47-3

Name: CHROMIUM

CAS No: 000100-41-4

Name: ETHYLBENZENE



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CAS No: 007782-41-4

Name: FLUORINE

CAS No: 000050-00-0

Name: FORMALDEHYDE

CAS No: 0NY100-00-0

Name: HAP

CAS No: 007553-56-2

Name: IODINE

CAS No: 007439-92-1

Name: LEAD

CAS No: 007439-96-5

Name: MANGANESE

CAS No: 007439-97-6

Name: MERCURY

CAS No: 000091-20-3

Name: NAPHTHALENE

CAS No: 007440-02-0

Name: NICKEL METAL AND INSOLUBLE COMPOUNDS

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 001336-36-3

Name: POLYCHLORINATED BIPHENYL

CAS No: 000106-51-4

Name: QUINONE

CAS No: 007782-49-2

Name: SELENIUM

CAS No: 007446-09-5

Name: SULFUR DIOXIDE



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CAS No: 000108-88-3

Name: TOLUENE

CAS No: 0NY998-00-0

Name: VOC

CAS No: 001330-20-7

Name: XYLENE, M, O & P MIXT.

**Condition 17: Unavoidable noncompliance and violations**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

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

**Item 17.1:**

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 action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded 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

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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 18: Emission Unit Definition**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

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

**Item 18.1:**

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

Emission Unit: U-BCH01

Emission Unit Description:

THE EMISSION UNIT CONSISTS OF A BATCH MIX ASPHALT PLANT PRESENTLY PERMITTED TO OPERATE AT THIS FACILITY. THE EMISSION UNIT HAS ONE EMISSION POINT, THE BAGHOUSE EXHAUST, EP001. EMISSION CONTROLS/SOURCES IN THIS EMISSION UNIT ARE THE DRYER DRUM (DRM01), THE DRYER BURNER (DHT01), THE PRIMARY COLLECTOR (BH001), AND THE BAGHOUSE (BH002). THE PLANT IS ON LINE POWER, AND THE BURNER MAY BURN NATURAL GAS, #2 OIL, #4 OIL, OR WASTE FUEL A. EMISSIONS INCLUDE NOX, SO<sub>2</sub>, CO, P-10, VOC AND HAPS FROM COMBUSTION OF FUEL. A PROCESS DESCRIPTION IS INCLUDED FOR THE OPERATION OF THE BATCH PLANT ON NATURAL GAS, NO 2 OIL, NO 4 OIL, OR WASTE FUEL A. OPERATING CONTINUOUSLY THROUGHOUT THE YEAR (8760 HRS), THE BATCH PLANT BY ITSELF WOULD EXCEED THE CO, SO<sub>2</sub>, OR NOX CAP. PRODUCTION TONNAGE WILL BE LIMITED TO MAINTAIN EMISSIONS BELOW THE PROPOSED FACILITY LIMITS. EMISSIONS ARE SUMMARIZED IN THE ATTACHMENTS, FOR USE IN DETERMINING THE ERPS FOR THE EMISSION UNIT EMISSION SUMMARY. BURNING EITHER OIL, WASTE FUEL A, OR NATURAL GAS, OPERATION OF THE PLANT IS LIMITED BY CARBON MONOXIDE



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EMISSIONS. THIS PLANT'S ANNUAL TONNAGE  
WILL BE LIMITED TO MAINTAIN EMISSIONS BELOW  
THE PROPOSED CO FACILITY LIMITS. EMISSION  
CALCULATIONS ARE INCLUDED IN THE  
ATTACHMENTS TO THIS APPLICATION.

**Condition 19: Facility Permissible Emissions**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7**

**Item 19.1:**

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: 000050-00-0                      PTE: 19,000 pounds per year  
Name: FORMALDEHYDE

CAS No: 000071-43-2                      PTE: 19,000 pounds per year  
Name: BENZENE

CAS No: 000075-07-0                      PTE: 19,000 pounds per year  
Name: ACETALDEHYDE

CAS No: 000091-20-3                      PTE: 19,000 pounds per year  
Name: NAPHTHALENE

CAS No: 000100-41-4                      PTE: 19,000 pounds per year  
Name: ETHYLBENZENE

CAS No: 000106-51-4                      PTE: 19,000 pounds per year  
Name: QUINONE

CAS No: 000108-88-3                      PTE: 19,000 pounds per year  
Name: TOLUENE

CAS No: 000630-08-0                      PTE: 190,000 pounds per year  
Name: CARBON MONOXIDE

CAS No: 001330-20-7                      PTE: 19,000 pounds per year  
Name: XYLENE, M, O & P MIXT.

CAS No: 001336-36-3                      PTE: 19,000 pounds per year  
Name: POLYCHLORINATED BIPHENYL



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CAS No: 007439-92-1 Name: LEAD	PTE: 19,000 pounds per year
CAS No: 007439-96-5 Name: MANGANESE	PTE: 19,000 pounds per year
CAS No: 007439-97-6 Name: MERCURY	PTE: 19,000 pounds per year
CAS No: 007440-02-0 Name: NICKEL METAL AND INSOLUBLE COMPOUNDS	PTE: 19,000 pounds per year
CAS No: 007440-38-2 Name: ARSENIC	PTE: 19,000 pounds per year
CAS No: 007440-41-7 Name: BERYLLIUM	PTE: 19,000 pounds per year
CAS No: 007440-43-9 Name: CADMIUM	PTE: 19,000 pounds per year
CAS No: 007440-47-3 Name: CHROMIUM	PTE: 19,000 pounds per year
CAS No: 007446-09-5 Name: SULFUR DIOXIDE	PTE: 190,000 pounds per year
CAS No: 007782-49-2 Name: SELENIUM	PTE: 19,000 pounds per year
CAS No: 007782-50-5 Name: CHLORINE	PTE: 19,000 pounds per year
CAS No: 0NY075-00-5 Name: PM-10	PTE: 190,000 pounds per year
CAS No: 0NY100-00-0 Name: HAP	PTE: 47,500 pounds per year
CAS No: 0NY210-00-0 Name: OXIDES OF NITROGEN	PTE: 190,000 pounds per year
CAS No: 0NY998-00-0 Name: VOC	PTE: 95,000 pounds per year

**Condition 20: Capping Monitoring Condition**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

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**Applicable State Requirement: 6NYCRR 201-7**

**Item 20.1:**

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

6NYCRR 201-6

**Item 20.2:**

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

**Item 20.3:**

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 20.4:**

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 20.5:**

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 20.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 20.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

VOC (Volatile Organic Compound) emissions limited to less than 47.5 ton/yr (less than the major source threshold).

Emissions will be calculated using the most current AP-42



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emission factors (factors at the time of permit issuance date 12/2000). Asphalt tonnage shall be included in the annual report. Records shall be maintained in accordance with Part 201-7.2(d).

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 1/30/2005.  
Subsequent reports are due every 12 calendar month(s).

**Condition 21: Capping Monitoring Condition**  
**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7**

**Item 21.1:**

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

6NYCRR 201-6

**Item 21.2:**

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

**Item 21.3:**

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 21.4:**

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 21.5:**

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 21.6:**





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The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

**Item 21.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Total HAP (Hazardous Air Pollutants) emissions limited to less than 23.75 ton/yr (less than the major source threshold). Emissions will be calculated using the most current AP-42 emission factors (factors at the time of permit issuance date 12/2000). Asphalt tonnage shall be included in the annual report. Records shall be maintained in accordance with Part 201-7.2(d).

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 1/30/2005.

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

**Condition 22: Capping Monitoring Condition**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7**

**Item 22.1:**

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

6NYCRR 201-6

**Item 22.2:**

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

**Item 22.3:**

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



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control requirements, regulations or law.

**Item 22.4:**

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 22.5:**

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 22.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000050-00-0	FORMALDEHYDE
CAS No: 000071-43-2	BENZENE
CAS No: 000091-20-3	NAPHTHALENE
CAS No: 000100-41-4	ETHYLBENZENE
CAS No: 000106-51-4	QUINONE
CAS No: 000108-88-3	TOLUENE
CAS No: 001330-20-7	XYLENE, M, O & P MIXT.
CAS No: 001336-36-3	POLYCHLORINATED BIPHENYL
CAS No: 007439-92-1	LEAD
CAS No: 007439-96-5	MANGANESE
CAS No: 007439-97-6	MERCURY
CAS No: 007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS
CAS No: 007440-38-2	ARSENIC
CAS No: 007440-41-7	BERYLLIUM
CAS No: 007440-43-9	CADMIUM
CAS No: 007440-47-3	CHROMIUM
CAS No: 007782-49-2	SELENIUM
CAS No: 007782-50-5	CHLORINE
CAS No: 000075-07-0	ACETALDEHYDE

**Item 22.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emissions of each individual HAP (Hazardous Air Pollutant) limited to less than 9.5 ton/yr (less than the major source threshold). Emissions will be calculated using the most current AP-42 emission factors (factors at

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the time of permit issuance date 12/2000). Asphalt tonnage shall be included in the annual report. Records shall be maintained in accordance with Part 201-7.2(d).

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 1/30/2005.  
Subsequent reports are due every 12 calendar month(s).

**Condition 23: Capping Monitoring Condition**  
**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7**

**Item 23.1:**

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

6NYCRR 201-6

**Item 23.2:**

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

**Item 23.3:**

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 23.4:**

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 23.5:**

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 23.6:**

The Compliance Demonstration activity will be performed for the Facility.



**New York State Department of Environmental Conservation**

**Permit ID: 4-3817-00055/00005**

**Facility DEC ID: 4381700055**

**Regulated Contaminant(s):**

CAS No: 007446-09-5    SULFUR DIOXIDE  
CAS No: 0NY075-00-5    PM-10  
CAS No: 0NY210-00-0    OXIDES OF NITROGEN  
CAS No: 000630-08-0    CARBON MONOXIDE

**Item 23.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

**Monitoring Description:**

Emissions limited to less than 95 ton/yr (less than the major source threshold). Emissions will be calculated using the most current AP-42 emission factors (factors at the time of permit issuance date 12/2000). Asphalt tonnage shall be included in the annual report. Records shall be maintained in accordance with Part 201-7.2(d).

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 1/30/2005.

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

**Condition 24:    Air pollution prohibited**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable State Requirement:    6NYCRR 211.2**

**Item 24.1:**

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 25:    Compliance Demonstration**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable State Requirement:    6NYCRR 211.2**

**Item 25.1:**

The Compliance Demonstration activity will be performed for the Facility.



**New York State Department of Environmental Conservation**

**Permit ID: 4-3817-00055/00005**

**Facility DEC ID: 4381700055**

Regulated Contaminant(s):

CAS No: 0NY075-00-0    PARTICULATES

**Item 25.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall comply with its Fugitive Dust Control Plan outlined in its May 7, 1997 letter to the Department.

Furthermore, the plan shall be augmented in writing to the Department not later than 60 days from the effective date of this permit and specifically address: How often loading ramp watering and yard sweeping will occur taking into account weather conditions; and how often bin water spraying will occur, taking into account weather conditions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 26:    Emission Point Definition By Emission Unit**  
**Effective between the dates of 07/27/2004 and Permit Expiration Date**

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

**Item 26.1:**

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

Emission Unit:    U-BCH01

Emission Point:    EP001

Height (ft.): 38

Diameter (in.): 45

NYTMN (km.): 4729.919    NYTME (km.): 606.567

**Condition 27:    Process Definition By Emission Unit**  
**Effective between the dates of 07/27/2004 and Permit Expiration Date**

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

**Item 27.1:**



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**Facility DEC ID: 4381700055**

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

Emission Unit: U-BCH01

Process: BP4

Source Classification Code: 3-05-002-01

Process Description:

BATCH MIX ASPHALT PRODUCTION USING NO. 4 OIL IN THE DRYER BURNER. CRUSHED STONE IS CONVEYED TO A ROTARY DRUM STONE DRYER WHICH DRIES AND HEATS THE AGGREGATE. THE MATERIAL IS THEN SCREENED INTO ENCLOSED STORAGE BINS, FED TO A WEIGH HOPPER AND TRANSFERRED TO A PUG MILL WHERE ASPHALTIC CEMENT IS MIXED WITH THE AGGREGATE. THE PUG MILL DISCHARGES FINISHED ASPHALTIC CONCRETE TO TRUCKS BY GRAVITY FEED. THE DRYER HEATER BURNS NO. 4 OIL, PRODUCING PREDOMINATELY CO AND NOX AND THE ACTION OF THE DRUM ON THE AGGREGATES GENERATES PARTICULATE MATTER WHICH IS CONTROLLED BY THE PRIMARY CYCLONE (KNOCK OUT BOX, BH001) AND THE BAGHOUSE (BH002), EXHAUSTING THROUGH THE STACK, EMISSION POINT EP001.

Emission Source/Control: BH001 - Control

Control Type: FABRIC FILTER

Emission Source/Control: BH002 - Control

Control Type: FABRIC FILTER

Emission Source/Control: DHT01 - Process

Design Capacity: 70 million Btu per hour

Emission Source/Control: DRM01 - Process

Design Capacity: 240 tons per hour

**Item 27.2:**

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

Emission Unit: U-BCH01

Process: BPA

Source Classification Code: 3-05-002-01

Process Description:

BATCH MIX ASPHALT PRODUCTION USING WASTE FUEL A IN THE DRYER BURNER. CRUSHED STONE IS CONVEYED TO A ROTARY DRUM STONE DRYER WHICH DRIES AND HEATS THE AGGREGATE. THE MATERIAL IS THEN SCREENED INTO ENCLOSED STORAGE BINS, FED TO A WEIGH HOPPER AND



**New York State Department of Environmental Conservation**

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TRANSFER RED TO A PUG MILL WHERE ASPHALTIC CEMENT IS MIXED WITH THE AGGREGATE. THE PUG MILL DISCHARGES FINISHED ASPHALTIC CONCRETE TO TRUCKS BY GRAVITY FEED. THE DRYER HEATER BURNS WASTE FUEL A, PRODUCING PREDOMINATELY CO AND NOX AND THE ACTION OF THE DRUM ON THE AGGREGATES GENERATES PARTICULATE MATTER WHICH IS CONTROLLED BY THE PRIMARY CYCLONE (KNOCK OUT BOX, BH001) AND THE BAGHOUSE (BH002), EXHAUSTING THROUGH THE STACK, EMISSION POINT EP001.

Emission Source/Control: BH001 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BH002 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: DHT01 - Process  
Design Capacity: 70 million Btu per hour

Emission Source/Control: DRM01 - Process  
Design Capacity: 240 tons per hour

**Item 27.3:**

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

Emission Unit: U-BCH01

Process: BPG

Source Classification Code: 3-05-002-01

Process Description:

BATCH MIX ASPHALT PRODUCTION USING GAS IN THE DRYER BURNER. CRUSHED STONE IS CONVEYED TO A ROTARY DRUM STONE DRYER WHICH DRIES AND HEATS THE AGGREGATE. THE MATERIAL IS THEN SCREENED INTO ENCLOSED STORAGE BINS, FED TO A WEIGH HOPPER AND TRANSFERRED TO A PUG MILL WHERE ASPHALTIC CEMENT IS MIXED WITH THE AGGREGATE. THE PUG MILL DISCHARGES FINISHED ASPHALTIC CONCRETE TO TRUCKS BY GRAVITY FEED. THE DRYER HEATER BURNS NATURAL GAS, PRODUCING PRIMARILY CO, AND THE ACTION OF THE DRUM ON THE AGGREGATES GENERATES PARTICULATE MATTER WHICH IS CONTROLLED BY THE PRIMARY COLLECTOR (ID#BH001) AND THE BAGHOUSE (ID#BH002), EXHAUSTING THROUGH THE STACK, EMISSION POINT EP001.



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Emission Source/Control: BH001 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BH002 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: DHT01 - Process  
Design Capacity: 70 million Btu per hour

Emission Source/Control: DRM01 - Process  
Design Capacity: 240 tons per hour

**Item 27.4:**

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

Emission Unit: U-BCH01

Process: BPO

Source Classification Code: 3-05-002-01

Process Description:

BATCH MIX ASPHALT PRODUCTION USING NO. 2 OIL IN THE DRYER BURNER. CRUSHED STONE IS CONVEYED TO A ROTARY DRUM STONE DRYER WHICH DRIES AND HEATS THE AGGREGATE. THE MATERIAL IS THEN SCREENED INTO ENCLOSED STORAGE BINS, FED TO A WEIGH HOPPER AND TRANSFERRED TO A PUG MILL WHERE ASPHALTIC CEMENT IS MIXED WITH THE AGGREGATE. THE PUG MILL DISCHARGES FINISHED ASPHALTIC CONCRETE TO TRUCKS BY GRAVITY FEED. THE DRYER HEATER BURNS NO. 2 OIL, PRODUCING PREDOMINATELY CO AND NOX AND THE ACTION OF THE DRUM ON THE AGGREGATES GENERATES PARTICULATE MATTER WHICH IS CONTROLLED BY THE PRIMARY COLLECTOR (ID#BH001) AND THE BAGHOUSE (ID#BH002), EXHAUSTING THROUGH THE STACK, EMISSION POINT EP001.

Emission Source/Control: BH001 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BH002 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: DHT01 - Process  
Design Capacity: 70 million Btu per hour

Emission Source/Control: DRM01 - Process





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Design Capacity: 240 tons per hour

**Condition 28: Process Permissible Emissions**

**Effective between the dates of 07/27/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7**

**Item 28.1:**

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-BCH01

Process: BPO

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 190,000 pounds per year