



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 5-1532-00009/00011  
Effective Date:

Expiration Date:

Permit Issued To: Upstone Materials Inc  
111 Quarry Rd  
Plattsburgh, NY 12901

Contact: James Mussaw  
Upstone Materials Inc  
111 Quarry Rd  
Plattsburgh, NY 12901-6215  
(518) 561-5321

Facility: LEWIS QUARRY  
9198 US RTE 9|E SIDE - S OF MOSS RD  
LEWIS, NY 12950

**Description:**

Upstone Materials Inc.'s Lewis Quarry is a manufacturer of crushed stone and hot mix asphalt (HMA). The plant is located in the Town of Lewis, Essex County. At the facility, stone is quarried and processed (crush and screened) to produce construction aggregate. The construction aggregate is either stored on site in stock piles for later use or loaded directly into trucks. In addition to the quarry, there is a HMA plant located at the facility where various sizes of aggregate are heated in a rotary dryer and then blended with liquid asphalt to produce HMA. The HMA is transferred directly into trucks. The rotary dryer is fired on #2 fuel and/or waste fuel A. Particulate emissions from the dryer are controlled by a baghouse.

The HMA facility consists of a non-NSPS 300 tph batch plant (EU/Process L-EWISQ/AS1). The crushing and screening operations consists of 3 NSPS applicable processes (EU/Process L-EWISQ/CR1, CR2 and /SCW). Aggregate is processed through the following equipment: 26 - conveyors, 3 - crushers (with water sprays), 2 - dry screens, 1 - wet screen, and 1 - sand screw. The facility is supplied power through the electrical grid.

Sources at this facility are regulated primarily under 40 CFR 60 Parts A and OOO, as well as 6NYCRR Parts 200, 201, 202, 211, 212, 215 and Subpart 225-1 & 2. Caps on aggregate and asphalt production will allow the facility to cap out of title V permitting requirements contained in Subparts 201-6 of 6NYCRR 201, as well as Reasonably Available Control Technology (RACT) requirements for VOCs contained in 6NYCRR 212. The asphalt and aggregate production caps are established at 400,000 tons/year and 750,000 tons/year, respectively. These caps limit NOX, CO, VOCs and PM below major source thresholds.

**New York State Department of Environmental Conservation**  
Facility DEC ID: 5153200009



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: ERIN L BURNS  
NYSDEC - REGION 5  
PO BOX 296  
RAY BROOK, NY 12977-0296

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



**Notification of Other State Permittee Obligations**

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

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

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

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

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

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
- Applications for permit renewals, modifications and transfers
- Permit modifications, suspensions or revocations by the Department

**Facility Level**

- Submission of application for permit modification or renewal-REGION 5 HEADQUARTERS



**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3**

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



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

**Item 4.1:**

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

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

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

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

**Item 5.1:**

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

NYSDEC Regional Permit Administrator  
Region 5 Headquarters  
Division of Environmental Permits  
Route 86, PO Box 296  
Ray Brook, NY 12977-0296  
(518) 897-1234

**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: Upstone Materials Inc  
111 Quarry Rd  
Plattsburgh, NY 12901

Facility: LEWIS QUARRY  
9198 US RTE 9[E SIDE - S OF MOSS RD  
LEWIS, NY 12950

Authorized Activity By Standard Industrial Classification Code:  
2951 - PAVING MIXTURES AND BLOCKS  
1429 - CRUSHED AND BROKEN STONE NEC  
1442 - CONSTRUCTION SAND AND GRAVEL

Permit Effective Date:

Permit Expiration Date:



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 202-1.1: Required Emissions Tests
- 2 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- \*3 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*4 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 5 6 NYCRR 211.1: Air pollution prohibited
- 6 6 NYCRR 212-1.3: Compliance Demonstration
- 7 6 NYCRR 212-1.3: Compliance Demonstration
- 8 6 NYCRR 212-1.6 (a): Compliance Demonstration
- 9 6 NYCRR 212-2.4 (a): Compliance Demonstration
- 10 6 NYCRR 212-4.1 (a) (1): Compliance Demonstration
- 11 6 NYCRR 212-4.1 (a) (2): Compliance Demonstration
- 12 6 NYCRR 212-4.1 (b): Compliance Demonstration
- 13 6 NYCRR 225-1.2 (h): Compliance Demonstration
- 14 6 NYCRR 225-1.2 (i): Compliance Demonstration
- 15 6 NYCRR 225-2.4 (b): Compliance Demonstration
- 16 40CFR 60.7(a), NSPS Subpart A: Date of construction notification -  
If a COM is not used.
- 17 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 18 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and  
Maintenance Requirements
- 19 40CFR 60.670(f), NSPS Subpart OOO: applicability of subpart A
- 20 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 21 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 22 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 23 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 24 40CFR 60.674(b), NSPS Subpart OOO: Compliance Demonstration
- 25 40CFR 60.675(c), NSPS Subpart OOO: Compliance Demonstration
- 26 40CFR 60.675(e), NSPS Subpart OOO: Compliance Demonstration
- 27 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration

#### Emission Unit Level

#### EU=L-EWISQ,Proc=AS1

- 28 6 NYCRR 225-2.3 (b) (3): Compliance Demonstration
- 29 40CFR 60.15, NSPS Subpart A: Reconstruction.

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 30 ECL 19-0301: Contaminant List
- 31 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 32 6 NYCRR Subpart 201-5: Emission Unit Definition
- 33 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 34 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 35 6 NYCRR 211.2: Visible Emissions Limited
- 36 6 NYCRR 211.2: Compliance Demonstration
- 37 6 NYCRR 212-2.1: Compliance Demonstration

#### Emission Unit Level





- 38 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 39 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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



required to operate such device effectively.

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

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

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

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

**Item E: Recycling and Salvage - 6 NYCRR 201-1.7**

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

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

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

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

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

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





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: Required Emissions Tests**  
Effective for entire length of Permit

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

**Item 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 2: Facility Permissible Emissions**  
Effective for entire length of Permit

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 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 PTE: 166,479 pounds per year  
Name: CARBON MONOXIDE

CAS No: 0NY075-00-0 PTE: 118,408 pounds per year  
Name: PARTICULATES

CAS No: 0NY210-00-0 PTE: 66,466 pounds per year  
Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0 PTE: 17,535 pounds per year  
Name: VOC





**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



the Act.

**Item 4.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0	CARBON MONOXIDE
CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 0NY998-00-0	VOC
CAS No: 0NY075-00-0	PARTICULATES

**Item 4.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Production records will be maintained on site to verify that the maximum production of asphalt does not exceed 400,000 tons in any 12-month period. This production cap limits facility-wide potentials to emit (PTEs) for NO<sub>x</sub>, CO, VOC, and PM to below applicability threshold for title V, 6 NYCRR 212-3 (VOC RACT) and PSD.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALTIC CONCRETE

Upper Permit Limit: 400000 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 5: Air pollution prohibited  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 5.1:**

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 6: Compliance Demonstration  
Effective for entire length of Permit**





**Applicable Federal Requirement:6 NYCRR 212-1.3**

**Item 6.1:**

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

Emission Unit: L-EWISQ  
Process: AS1

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Process emission sources must be evaluated on an individual contaminant basis and assigned an environmental rating, with the exception of High Toxic Air Contaminants (HTACs) meeting the emission limits of Table 2 of 212-2.2 and non-HTACs emitted at a facility-wide annual rate of less than 100 pounds.

The first factor affecting a process emission source's environmental rating (ER) is the toxicity classification (H-high, M -medium, or L-low) as defined in Part 212-1.2 and listed in the DAR-1 AGC/SGC tables. The DAR-1 environmental rating process commences with initially assigning the toxicity classification as the ER (H, M, L toxicity contaminants should be assigned an ER of "A", "B" and "C," respectively).

Based on the Potentials to Emit (PTE), emission rate potentials (ERP) and other supporting documentation associated with application ID. No. 5-1532-0009/00011, predicted maximum ambient impacts for the permitted contaminants are in compliance with SGCs/AGCs. In accordance with §212-1.3 - Determination of Environmental Rating, environmental ratings of A, B or C have been assigned to all permitted contaminants in accord with the toxicity classifications identified in AGC/SGC tables, unless otherwise noted in this permit.

Any increase in a contaminants ERP/PTE (including speciated VOCs and PM) from those contained in the most recent approved application is a modification and requires, at a minimum, a notification in accordance with 6 NYCRR 201-5.4

Monitoring Frequency: UPON PERMIT RENEWAL

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 7: Compliance Demonstration  
Effective for entire length of Permit**



**Applicable Federal Requirement:6 NYCRR 212-1.3**

**Item 7.1:**

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

Emission Unit: L-EWISQ  
Process: AS1 Emission Source: 0ASP7

Regulated Contaminant(s):  
CAS No: 000050-00-0 FORMALDEHYDE

**Item 7.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In accordance with the applicability requirements of 6 NYCRR 212-1.1, the Department will assign an environmental rating for each air contaminant emitted from each process emission source or emission point in accordance with Subdivisions (a) through (e) of this Section. The factors in Subdivisions (a) through (d) will be considered in making a determination of the environmental rating (ER) to be applied to an air contaminant pursuant to subdivision (e), Table 1 - Environmental Rating Criteria.

Formaldehyde is an air contaminant listed in Section 212-2.2 Table 2 as a High Toxicity Air Contaminant (HTAC) and is assigned a toxicity classification of "H" (high) in the AGC/SGC tables listed in DAR-1. The DAR-1 environmental rating process commences with initially assigning the toxicity classification as the ER (high toxicity contaminants should be assigned an ER of "A"). DAR-1 states the initial rating represents a starting point, and based upon the air quality dispersion modeling, nearby sensitive receptors, and background concentrations (if available), an ER may be re-assigned a higher or lower rating. Based on AP-42 emission rates, limits on production, and stack parameters (including a stack height of 38 feet), AerScreen modeling predicts maximum impacts at approximately 60 % AGC from this process alone (i.e., stone dryer and mixer). The relatively low impacts and the location of the existing facility support lowering the ER rating to a "B" for this process.

DAR-1 also indicates that the final ER should consider the predicted facility-wide ambient air concentration using all process emission sources (i.e., stone dryer, mixer, and HMA loadout) contributing to the maximum calculated receptor for the air contaminant being evaluated. Based



**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009

on AerScreen models, the maximum predicted facility-wide annual impact does not exceed the AGC for formaldehyde. Formaldehyde is assigned an ER of "B" for this process.

Monitoring Frequency: UPON PERMIT RENEWAL

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 8: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 212-1.6 (a)**

**Item 8.1:**

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

Emission Unit: L-EWISQ  
Process: AS1

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

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

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: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 9: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 212-2.4 (a)**

**Item 9.1:**

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



Emission Unit: L-EWISQ Emission Point: LQAS7

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:

Process emission source for which an application was received by the Department prior to July 1, 1973, shall not cause or allow emissions of particulate that exceed the permissible emission rate of 65.6 pounds per hour. Compliance testing shall be conducted at the discretion of the Department.

Upper Permit Limit: 65.6 pounds per hour

Reference Test Method: EPA Method 5

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 10: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 212-4.1 (a) (1)**

**Item 10.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 11: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 212-4.1 (a) (2)**

**Item 11.1:**

The Compliance Demonstration activity will be performed for the Facility.



**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 12: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 212-4.1 (b)**

**Item 12.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) When the burner is to be replaced, and a low NO<sub>x</sub> burner is not the unit of choice, the owner or operator of a hot mix asphalt plant must provide the Department with an economic feasibility analysis that justifies their decision. The economic analysis must follow an approach acceptable to the Department.

(2) By January 1, 2020, all owners or operators of active plants which have not installed a low NO<sub>x</sub> burner must have submitted an economic feasibility analysis. A low NO<sub>x</sub> burner must be installed for that operating year in all instances in which it proves feasible.

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

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 13: Compliance Demonstration  
Effective for entire length of Permit**

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



**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.75 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 15: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 15.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: L-EWISQ

Process: AS1

**Item 15.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Waste fuel A may be burned as fuel in the aggregate dryers associated with these emission units subject to the following provisions:

1. Source owner shall comply with all New York State and Federal regulatory requirements concerning the combustion of waste oil.
2. To ensure that the waste oil burned meets the definition of Waste Fuel A, as set forth in paragraph 225-2.2(b)(9) of 6NYCRR 225-2, source owner shall maintain a record of the analyses, certified by the supplier, of all waste oil burned. Each analysis shall include the following parameters:



- a. Concentration of total halogens [in ppm, by weight (water free basis) of fuel];
- b. Concentration of PCBs [in ppm, by weight (water free basis) of fuel];
- c. Concentration of lead [in ppm, by weight (water free basis) of fuel];
- d. Sulfur Content (in % by weight);
- e. Gross Heat Content (in Btu/gallon).

3. The above parameters, for all waste oil burned, shall meet the following criteria:

- a. total halogens content shall not exceed 1,000 ppm;
- b. PCB content shall not exceed 50 ppm;
- c. lead content shall not exceed 250 ppm;
- d. Sulfur content shall not exceed .75% by weight;
- e. heat content shall be at least 125,000 Btu/gallon.

These records shall be kept on site for a period of at least five (5) years.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 16: Date of construction notification - If a COM is not used.  
Effective for entire length of Permit**

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

**Item 16.1:**

This Condition applies to:

Emission Unit: LEWISQ  
Process: AS1

**Item 16.2:**

Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) 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 this part. 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, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;

5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 17: Recordkeeping requirements.  
Effective for entire length of Permit**

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

**Item 17.1:**

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

**Condition 18: Compliance with Standards and Maintenance Requirements  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.11(d), NSPS Subpart A**

**Item 18.1:**

At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

**Condition 19: applicability of subpart A  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.670(f), NSPS Subpart OOO**

**Item 19.1:**

This Condition applies to:

Emission Unit: LEWISQ  
Process: CR1

Emission Unit: LEWISQ  
Process: CR2

Emission Unit: LEWISQ



Process: SCW

**Item 19.2:**

Table 1 of 40 CFR 60, Subpart OOO specifies the provisions of Subpart A of Part 60 that do not apply to owners/operators of affected facilities that are subject to the provisions of subpart OOO. All other provisions of Subpart A apply to this facility, as applicable.

**Condition 20: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 20.1:**

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

Emission Unit: L-EWISQ  
Process: CR1

Emission Unit: L-EWISQ  
Process: CR2

**Item 20.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator must meet the following fugitive emissions limit for crushers at which a capture system is not used. The owner or operator must demonstrate compliance with this limit by conducting an initial performance test according to § 60.11 of this part and § 60.675 of this subpart.

Affected facilities (as defined in §§ 60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008 must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart 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 as required under § 60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in § 60.7(a)(6) and 60.8(d) to a 7-day advance



notification.

If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in § 60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.

Parameter Monitored: OPACITY

Upper Permit Limit: 15 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 21: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 21.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: L-EWISQ

Process: CR2

**Item 21.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator must meet the following fugitive emissions limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in §§ 60.670 and 60.671). The owner or operator must demonstrate compliance with this limit by conducting an initial performance test according to § 60.11 of this part and § 60.675 of this subpart and periodic inspections of water sprays according to § 60.674(b) and § 60.676(b).

Affected facilities (as defined in §§ 60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008 must meet the fugitive emission limits and compliance requirements in



Table 3 of this subpart 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 as required under § 60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in § 60.7(a)(6) and 60.8(d) to a 7-day advance notification.

If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in § 60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.

A repeat performance test according to § 60.11 of this part and § 60.675 of this subpart shall be performed within 5 years from the previous performance test for fugitive emissions from affected facilities without water sprays. Affected facilities controlled by water carryover from upstream water sprays that are inspected according to the requirements in § 60.674(b) and § 60.676(b) are exempt from this 5-year repeat testing requirement.

Parameter Monitored: OPACITY

Upper Permit Limit: 7 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 22: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 22.1:**

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

Emission Unit: L-EWISQ

Process: CR2

**Item 22.2:**

**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator must meet the following fugitive emissions limit for crushers at which a capture system is not used. The owner or operator must demonstrate compliance with this limit by conducting an initial performance test according to § 60.11 of this part and § 60.675 of this subpart and periodic inspections of water sprays according to § 60.674(b) and § 60.676(b).

Affected facilities (as defined in §§ 60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008 must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart 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 as required under § 60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in § 60.7(a)(6) and 60.8(d) to a 7-day advance notification.

If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in § 60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.

A repeat performance test according to § 60.11 of this part and § 60.675 of this subpart shall be performed within 5 years from the previous performance test for fugitive emissions from affected facilities without water sprays. Affected facilities controlled by water carryover from upstream water sprays that are inspected according to the requirements in § 60.674(b) and § 60.676(b) are exempt from this 5-year repeat testing requirement.

Parameter Monitored: OPACITY

Upper Permit Limit: 12 percent

Reference Test Method: EPA Method 9

**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 23: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 23.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: L-EWISQ  
Process: CR1

Emission Unit: L-EWISQ  
Process: CR2

**Item 23.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator must meet the following fugitive emission limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in §§ 60.670 and 60.671). The owner or operator must demonstrate compliance with this limit by conducting an initial performance test according to § 60.11 of this part and § 60.675 of this subpart.

Affected facilities (as defined in §§ 60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008 must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart 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 as required under § 60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in §

**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



60.7(a)(6) and 60.8(d) to a 7-day advance notification.

If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in § 60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 24: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 24.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: L-EWISQ

Process: CR2

**Item 24.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

The owner/operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, in the logbook required



under §60.676(b).

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 25: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 25.1:**

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

Emission Unit: L-EWISQ  
Process: CR1

Emission Unit: L-EWISQ  
Process: CR2

**Item 25.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) In determining compliance with the particulate matter standards in § 60.672(b) or § 60.672(e)(1), the owner or operator shall use Method 9 of Appendix A-4 of this part and the procedures in § 60.11, with the following additions:

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

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9 of Appendix A-4 of this part, Section 2.1) must be followed.

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not





to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

(3) When determining compliance with the fugitive emissions standard for any affected facility described under § 60.672(b) or § 60.672(e)(1) of this subpart, the duration of the Method 9 (40 CFR Part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart must be based on the average of the five 6-minute averages.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 26: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 26.1:**

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

Emission Unit: L-EWISQ  
Process: CR1

Emission Unit: L-EWISQ  
Process: CR2

**Item 26.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For the method and procedure of paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:

(i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.



(ii) Separate the emissions so that the opacity of emissions from each affected facility can be read. Code of Federal Regulations / Title 40 - Protection of Environment / Vol. 7 / 2012-07-01699

(2) A single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:

(i) No more than three emission points may be read concurrently.

(ii) All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.

(iii) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 27: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.676, NSPS Subpart OOO**

**Item 27.1:**

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

Emission Unit: L-EWISQ  
Process: CR1

Emission Unit: L-EWISQ  
Process: CR2

**Item 27.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in § 60.672 of this subpart, including

**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



reports of opacity observations made using Method 9 (40 CFR part 60, Appendix A-4) to demonstrate compliance with § 60.672(b), (e) and (f).

The owner or operator of any wet material processing operation that processes saturated and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. At the time of such change, this screening operation, bucket elevator, or belt conveyor becomes subject to the applicable opacity limit in § 60.672(b) and the emission test requirements of § 60.11.

The subpart A requirement under § 60.7(a)(1) for notification of the date construction or reconstruction commenced is waived for affected facilities under this subpart.

A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.

(1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

(2) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant. Code of Federal Regulations / Title 40 - Protection of Environment / Vol. 6 / 2011-07-01708

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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

**Condition 28: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 28.1:**





complying with the applicable standards of performance after the proposed replacements.



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

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

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

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;

(3) During the period of the emergency the facility owner 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 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 or operator seeking to establish the occurrence of an emergency has the burden of proof.

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

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

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records.



Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 30: Contaminant List  
Effective for entire length of Permit**

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

**Item 30.1:**

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

CAS No: 000050-00-0  
Name: FORMALDEHYDE

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

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

CAS No: 0NY210-00-0



Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0

Name: VOC

**Condition 31: Malfunctions and start-up/shutdown activities  
Effective for entire length of Permit**

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

**Item 31.1:**

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

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

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

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

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

**Condition 32: Emission Unit Definition  
Effective for entire length of Permit**

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



**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



**Item 32.1:**

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

Emission Unit: L-EWISQ

Emission Unit Description:

This emission unit consists of four processes: a non-NSPS hot-mix asphalt batch plant (process AS1) and an NSPS crushing plant (processes CR1, CR2 and SCW). Process CR1 & CR2 consists of the crushing plant production line upstream of the wet screen. Process SCW is the production line downstream including the wet screen.

Electricity is utility supplied.

There is one emission points associated with this Emission Unit. EP LQAS7 is the emission point for the baghouse which is used to control emissions from the HMA plant.

**Condition 33: Renewal deadlines for state facility permits  
Effective for entire length of Permit**

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

**Item 33.1:**

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

**Condition 34: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 34.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 34.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 5  
232 Golf Course Rd.  
Warrensburg, NY 12885



Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 35: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 35.1:**

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

**Condition 36: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 36.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 36.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits.

If complaints of excess dust are received, the facility must immediately apply corrective measures as necessary to comply with the requirements of 6 NYCRR 211.2 as noted above. A log of complaints must be kept in a format acceptable to the Department.

The following data must be recorded for each observation:

The date and time of the complaint,  
The name, address and phone # of the complainant (if



given),  
The complainant's description of the complaint,  
The facility's evaluation of the complaint, and  
The corrective measures taken.

These records must be retained at the facility for a period of three (3) years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 37: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 212-2.1**

**Item 37.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 37.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emissions of air contaminants to the outdoor atmosphere from any process emission source or emission point are restricted as follows:

(a) for an air contaminant listed in Section 212-2.2 Table 2 - High Toxicity Air Contaminant List, of this Part, the facility owner or operator shall either limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC; or demonstrate compliance with the air cleaning requirements for the HTAC as specified in Subdivision 212-2.3(b), Table 4 - Degree of Air Cleaning Required for Non-Criteria Air Contaminants, of this Part for the environmental rating assigned to the contaminant by the Department.

(b) for any air contaminant not listed on Table 2, unless it is a solid particulate described in subdivision (c) of this Section, the facility owner or operator shall not allow emissions of an air contaminant to violate the requirements specified in Subdivision 212-2.3(a), Table 3 - Degree of Air Cleaning Required for Criteria Air Contaminants, or Subdivision 212-2.3(b), Table 4 - Degree of Air Cleaning Required for Non-Criteria Air Contaminants, as applicable, for the environmental rating assigned to the contaminant by the Department.



(c) for a solid particulate assigned an environmental rating of B or C emitted from a process emission source, the facility owner or operator shall not allow emissions of particulate to exceed the requirements specified in Subpart 212-2.4 of this Part.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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

Condition 38: Emission Point Definition By Emission Unit Effective for entire length of Permit

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 38.1:

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

Emission Unit: L-EWISQ

Emission Point: LQAS7

Height (ft.): 38 Length (in.): 48 Width (in.): 48

NYTMN (km.): 4907.87 NYTME (km.): 615.74

Condition 39: Process Definition By Emission Unit Effective for entire length of Permit

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 39.1:

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

Emission Unit: L-EWISQ

Process: AS1

Process Description:

Process AS1 produces hot mix asphalt by combining heated aggregate and heated liquid asphalt. The aggregate is heated and dried in a rotating dryer fueled by No. 2 fuel oil and/or waste fuel A. The hot, dry aggregate is sorted into various sizes on a set of screens and transferred to storage bins, weighed in a weigh hopper and transferred to the pugmill where it is mixed with the hot liquid asphalt in batches. This HMA plant equipment is identified as emission source 0ASP7 and is exhausted through the bag house (control 0BAG7) and out emission point LQAS7.

**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



Emission Source/Control: 0BAG7 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 0ASP7 - Process  
Design Capacity: 300 tons per hour

**Item 39.2:**

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

Emission Unit: L-EWISQ

Process: CR1

Process Description:

Process CR1 involves crushing quarry shot rock and stone followed by screening aggregate by size. The stone is crushed (source 00CR3) then sent through a dry screen (source 0SCR2). Further screening may be conducted through a wet screen process ( process SCW). Water spray is applied at the crusher for dust control. Stone is transported by 18 conveyors (00C2-00C16 and 00C21-00C23).

This process identifies crushers, conveyors and screens subject to 40 CFR 60, Subpart OOO, which were constructed or modified during the period of 8/31/83 thru 4/22/2008.

The following NSPS sources were permitted for operational flexibility, and may be included in this process based on the affected source's construction, modification, or reconstruction date.

Conveyors:

00C33 - 00C37

Screen:

0SCR5

Crushers:

00CR6 & 00CR7

Emission Source/Control: 000C2 - Process  
Design Capacity: 42 inches

**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



Emission Source/Control: 000C3 - Process  
Design Capacity: 36 inches

Emission Source/Control: 000C4 - Process  
Design Capacity: 36 inches

Emission Source/Control: 000C5 - Process  
Design Capacity: 36 inches

Emission Source/Control: 000C6 - Process  
Design Capacity: 36 inches

Emission Source/Control: 000C7 - Process  
Design Capacity: 42 inches

Emission Source/Control: 000C8 - Process  
Design Capacity: 60 inches

Emission Source/Control: 000C9 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C10 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C11 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C12 - Process  
Design Capacity: 24 inches

Emission Source/Control: 00C13 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C14 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C15 - Process  
Design Capacity: 24 inches

Emission Source/Control: 00C16 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C21 - Process  
Design Capacity: 36 inches

Emission Source/Control: 00C22 - Process  
Design Capacity: 42 inches

Emission Source/Control: 00C23 - Process  
Design Capacity: 24 inches

Emission Source/Control: 00C33 - Process

New York State Department of Environmental Conservation

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



Emission Source/Control: 00C34 - Process

Emission Source/Control: 00C35 - Process

Emission Source/Control: 00C36 - Process

Emission Source/Control: 00C37 - Process

Emission Source/Control: 00CR3 - Process  
Design Capacity: 510 tons per hour

Emission Source/Control: 00CR6 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: 00CR7 - Process  
Design Capacity: 300 tons per hour

Emission Source/Control: 0SCR2 - Process  
Design Capacity: 120 square feet

Emission Source/Control: 0SCR5 - Process

**Item 39.3:**

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

Emission Unit: L-EWISQ

Process: CR2

Process Description:

Process CR2 involves crushing quarry shot rock and stone followed by screening aggregate by size. This process identifies crushers, conveyors and screens subject to 40 CFR 60, Subpart OOO, which were constructed or modified after 4/22/2008.

The following NSPS sources were permitted for operational flexibility, and may be included in this process based on the affected source's construction, modification, or reconstruction date.

Conveyors:

00C33 - 00C37

Screen:

0SCR5

Crushers:

00CR6 & 00CR7

**New York State Department of Environmental Conservation**

Permit ID: 5-1532-00009/00011

Facility DEC ID: 5153200009



Emission Source/Control: 00C33 - Process

Emission Source/Control: 00C34 - Process

Emission Source/Control: 00C35 - Process

Emission Source/Control: 00C36 - Process

Emission Source/Control: 00C37 - Process

Emission Source/Control: 00CR6 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: 00CR7 - Process  
Design Capacity: 300 tons per hour

Emission Source/Control: 0SCR5 - Process

**Item 39.4:**

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

Emission Unit: L-EWISQ

Process: SCW

Process Description:

Process SCW is a wet screening process. This is the final screening operation in the crushing plant. This process is composed of a wet screen(0SCR3), four conveyors (00C17-20), a sand screw (00SS1).

The provisions of Subpart 000 do not apply to the following operations: All facilities located in material processing operations (as defined in §60.671).

Emission Source/Control: 00C17 - Process  
Design Capacity: 24 inches

Emission Source/Control: 00C18 - Process  
Design Capacity: 24 inches

Emission Source/Control: 00C19 - Process  
Design Capacity: 24 inches

Emission Source/Control: 00C20 - Process  
Design Capacity: 24 inches

Emission Source/Control: 00SS1 - Process  
Design Capacity: 44 inches

Emission Source/Control: 0SCR3 - Process  
Design Capacity: 120 square feet