

New York State Department of Environmental Conservation
Facility DEC ID: 5162800003



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 5-1628-00003/00006
Mod 0 Effective Date: 03/20/2001 Expiration Date: No expiration date.
Mod 1 Effective Date: 09/04/2001 Expiration Date: No expiration date.
Mod 2 Effective Date: 02/06/2004 Expiration Date: No expiration date.
Mod 3 Effective Date: 03/07/2007 Expiration Date: No expiration date.

Permit Issued To: GRAYMONT MATERIALS (NY) INC
111 QUARRY RD
PO BOX 69
PLATTSBURGH, NY 12901-0069

Facility: MALONE QUARRY
QUARRY RD|(FORMERLY TUTTLE RD)
NORTH BANGOR, NY 12966

Contact: NATHAN DUTIL
GRAYMONT MATERIALS (NY) INC
PO BOX 825 - 111 QUARRY RD
PLATTSBURGH, NY 12901-0825
(518) 561-5321

Description:

This facility produces crushed stone and asphalt. Manufacturing processes include quarry operations and asphalt production. The quarry operations consist of overburden stripping, bedrock drilling and blasting, loading, conveying and transport of shotrock, a stone crushing plant, and screens. The crushing operations involve dropping pit rock at the primary crusher, primary, secondary, tertiary crushing, controlled transfer points, screenings, loading crushed stone for onsite use, dropping crushed stone onsite, loading crushed stone for offsite use, and hauling crushed stone offsite. Asphalt operations include loading stone, drying stone, mixing asphalt, loading finished asphalt, and transporting asphalt offsite.

The quarry operations involve two emission units and four processes:

Emission unit 0-CRUSH involves rock crushing and processing.
Emission unit 0-CRUSH, process CR1 sources consists of one crusher, one screen, and 12 conveyors.
All equipment in process CR1 is non-NSPS except the screen (1SCR1). Emission unit 0-Crush, process



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CR2 is subject to 40CFR 60 subpart 000. Emission unit 0-CRUSH, process CR2 consists of two crushers, two screens and eight conveyors.

The asphalt operation involves one emission unit (non NSPS applicable), 0-ASP01, processes AS1 and AS2. Equipment in 0-ASP01 considered emission sources consists of two batch plants and two baghouses.

Emission units 0-Crush and 0-ASP01 are subject to general requirements including opacity and particulates under 6NYCRR Parts 201 and 212.

The facility is regulated for pollutants including PM-10, NOx, SO2 and CO under federal enforceable requirements and for air toxics under state enforceable requirements.

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: WALTER L HAYNES
 DIVISION OF ENVIRONMENTAL PERMITS
 232 GOLF COURSE RD PO BOX 220
 WARRENSBURG, NY 12885-0220

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 5
SUBOFFICE
Submission of application for permit modification or renewal-REGION 5
SUBOFFICE - WARRENSBURG



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 3-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 3-1.1:

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

Item 3-1.2:

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

Item 3-1.3:

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



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actual transfer of ownership.

**Condition 2-1: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13**

Item 2-1.1:

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

Item 2-1.2:

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

Item 2-1.3:

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

**Condition 3-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13**

Item 3-2.1:

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

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

**Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)**

Expired by Mod No: 2

Item 3.1:

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

Item 3.2:



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

Condition 2-2: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 2-2.1:

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

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

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

Expired by Mod No: 2

Item 4.1:

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

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

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 5 SUBOFFICE
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 5 Sub-office
Division of Environmental Permits



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232 Hudson St, PO Box 220
Warrensburg, NY 12885-0220
(518) 623-1281

Condition 3-3: Submission of application for permit modification or renewal-REGION 5
SUBOFFICE - WARRENSBURG
Applicable State Requirement: 6NYCRR 621.6(a)

Item 3-3.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 5 Sub-office
Division of Environmental Permits
232 Golf Course Road, PO Box 220
Warrensburg, NY 12885-0220
(518) 623-1281

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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: GRAYMONT MATERIALS (NY) INC
111 QUARRY RD
PO BOX 69
PLATTSBURGH, NY 12901-0069

Facility: MALONE QUARRY
QUARRY RD|(FORMERLY TUTTLE RD)
NORTH BANGOR, NY 12966

Authorized Activity By Standard Industrial Classification Code:
1423 - CRUSHED AND BROKEN GRANITE
1429 - CRUSHED AND BROKEN STONE NEC
2951 - PAVING MIXTURES AND BLOCKS

Mod 0 Permit Effective Date: 03/20/2001	Permit Expiration Date: No expiration date.
Mod 1 Permit Effective Date: 09/04/2001	Permit Expiration Date: No expiration date.
Mod 2 Permit Effective Date: 02/06/2004	Permit Expiration Date: No expiration date.
Mod 3 Permit Effective Date: 03/07/2007	Permit Expiration Date: No expiration date.



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 3-1 6NYCRR 201-7: Facility Permissible Emissions
- 3-2 6NYCRR 211.4: VOC prohibited
- 3-3 6NYCRR 225-2.3(b)(3): Compliance Demonstration
- 3-5 40CFR 60.8, NSPS Subpart A: Compliance Demonstration
- 3-6 40CFR 60.14, NSPS Subpart A: Compliance Demonstration
- 3-4 40CFR 60.15, NSPS Subpart A: Reconstruction

Emission Unit Level

EU=0-ASP01

- *3-7 6NYCRR 201-7: Capping Monitoring Condition
- 3-8 6NYCRR 212.6(a): Compliance Demonstration
- 3-9 6NYCRR 225-2.4: Compliance Demonstration

EU=0-ASP01,EP=MQAS5

- 3-10 6NYCRR 212.3(b): Compliance Demonstration

EU=0-ASP01,EP=MQAS6

- 3-11 6NYCRR 212.3(b): Compliance Demonstration

EU=0-CRUSH

- *3-12 6NYCRR 201-7: Capping Monitoring Condition

EU=0-CRUSH,Proc=CR1

- 3-13 6NYCRR 212.6(a): Compliance Demonstration

EU=0-CRUSH,Proc=CR2

- 3-14 40CFR 60.7(a), NSPS Subpart A: Date of construction notification -
If a COM is not used.
- 22 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and
Maintenance Requirements
- 3-15 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 3-16 40CFR 60.672(c), NSPS Subpart OOO: Compliance Demonstration
- 26 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
- 27 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
- 28 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
- 29 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level



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- 2-10 ECL 19-0301: Contaminant List
- 2-11 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 62 6NYCRR 201-5: Emission Unit Definition
- 64 6NYCRR 211.2: Air pollution prohibited
- 3-17 6NYCRR 211.2: Compliance Demonstration
- 65 6NYCRR 225-1.2(a)(2): Compliance Demonstration

Emission Unit Level

- 66 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 67 6NYCRR 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 - 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 3-1: Facility Permissible Emissions
Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Item 3-1.1:

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 000630-08-0 (From Mod 3) PTE: 190,000 pounds per year
Name: CARBON MONOXIDE

CAS No: 007446-09-5 (From Mod 3) PTE: 41,800 pounds per year
Name: SULFUR DIOXIDE

CAS No: 0NY075-00-5 (From Mod 3) PTE: 17,740 pounds per year
Name: PM-10

CAS No: 0NY210-00-0 (From Mod 3) PTE: 57,000 pounds per year
Name: OXIDES OF NITROGEN

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Condition 3-2: VOC prohibited
Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.4

Item 3-2.1:

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

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

Condition 3-3: Compliance Demonstration
Effective between the dates of 03/07/2007 and Permit Expiration Date

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

Item 3-3.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-ASP01
Process: AS1 Emission Source: 0ASP5

Emission Unit: 0-ASP01
Process: AS2 Emission Source: 0ASP6

Item 3-3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The combustion efficiency of the units while burning waste oil shall be at least 99%. The units shall be tested within 60 days of the first delivery of Waste Fuel A to the facility, and upon request by the Administrator thereafter, to document compliance with this requirement. Testing shall be conducted in accordance with 6NCYRR Subpart 202.

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Permit Limit: 99 percent reduction

Reference Test Method: EPA Methods 3 or 10



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 3-5: Compliance Demonstration

Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8, NSPS Subpart A

Item 3-5.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-CRUSH

Process: CR2

Item 3-5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of an affected facility (air emission source), the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Initial performance testing shall be conducted in accordance with the methods and procedures prescribed in section 60.8 or by alternate methods and procedures approved by the Administrator.

Initial performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operator of the facility.

The owner operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Each performance test shall consist of three separate runs (except as provided for in Subpart OOO), at the specified duration required in the applicable test method.



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Compliance with all applicable standards shall be determined by using the arithmetic mean of all three runs.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 3-6: Compliance Demonstration

Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 3-6.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-ASP01

Emission Unit: 0-CRUSH

Process: CR1

Item 3-6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided under paragraphs (e) and (f), of this section, any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which the standard applies and for which there is an increase in the emission rate to the atmosphere.

Notifications shall be made in accordance with Section 60.7.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3-4: Reconstruction

Effective between the dates of 03/07/2007 and Permit Expiration Date

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Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 3-4.1:

This Condition applies to:

Emission Unit: 0ASP01

Emission Unit: 0CRUSH

Process: CR1

Item 3-4.2:

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

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

Condition 3-7: Capping Monitoring Condition

Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Item 3-7.1:

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



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applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 201-6.1(a)

6NYCRR 212.10

Item 3-7.2:

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

Item 3-7.3:

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 3-7.4:

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 3-7.5:

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 3-7.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01

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 3-7.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Production records to be maintained on site to verify that the maximum facility production of asphalt does not



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exceed 475,000 tons in any 12 months. This compliance monitoring activity caps the emissions from this emission unit to allow the facility to be capped out of Title V for NO_x, CO, SO₂ and PM-10.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: ASPHALTIC CONCRETE
Upper Permit Limit: 475000 tons per year
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 1/30/2008.
Subsequent reports are due every 12 calendar month(s).

Condition 3-8: Compliance Demonstration
Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 3-8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01

Item 3-8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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 investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any

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necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3-9: Compliance Demonstration

Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.4

Item 3-9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01

Item 3-9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Waste Oil may be burned as fuel in the aggregate dryers associated with this emission unit 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

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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 1.5% 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 3-10: Compliance Demonstration

Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.3(b)

Item 3-10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01 Emission Point: MQAS5

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 3-10.2:

Compliance Demonstration shall include the following monitoring:



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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 66 lbs/hr. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 66 pounds per hour

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 3-11: Compliance Demonstration

Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.3(b)

Item 3-11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-ASP01 Emission Point: MQAS6

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 3-11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 67 lbs/hr. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 67 pounds per hour

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 3-12: Capping Monitoring Condition



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Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Item 3-12.1:

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 201-6.1(a)

Item 3-12.2:

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

Item 3-12.3:

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 3-12.4:

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 3-12.5:

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 3-12.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

Item 3-12.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS



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Monitoring Description:

Production records to be maintained on site to verify that the maximum production of crushed stone does not exceed 750,000 tons in any 12 months. This emission unit will be major for fee billing purposes.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: STONE

Upper Permit Limit: 750000 tons per year

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 1/30/2008.

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

Condition 3-13: Compliance Demonstration

Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 3-13.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR1

Item 3-13.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions 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.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)



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Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 3-14: Date of construction notification - If a COM is not used.
Effective between the dates of 03/07/2007 and Permit Expiration Date**

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

Item 3-14.1:

This Condition applies to Emission Unit: 0-CRUSH
Process: CR2

Item 3-14.2:

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 22: Compliance with Standards and Maintenance Requirements
Effective between the dates of 03/20/2001 and Permit Expiration Date**

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

Item 22.1:

This Condition applies to Emission Unit: 0-CRUSH
Process: CR2

Item 22.2:

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



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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 3-15: Compliance Demonstration

Effective between the dates of 03/07/2007 and Permit Expiration Date

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

Replaces Condition(s) 1-2

Item 3-15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR2

Item 3-15.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the sixtieth day 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 40 CFR Part 60.11, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs 40 CFR Part 60.672(c), (d), and (e) of this section. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

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 3-16: Compliance Demonstration

Effective between the dates of 03/07/2007 and Permit Expiration Date

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

Replaces Condition(s) 1-3

Item 3-16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR2

Item 3-16.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the sixtieth day 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 40 CFR Part 60.11, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

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 26: Compliance Demonstration

Effective between the dates of 03/20/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

Item 26.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR2

Item 26.2:

Compliance Demonstration shall include the following monitoring:



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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Upon the replacement of any storage bin the owner or operator shall submit the following information to the Administrator:

- 1) the rated capacity in tons of the existing storage bin being replaced, and
- 2) the rated capacity in tons of the replacement storage bin.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 27: Compliance Demonstration
Effective between the dates of 03/20/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

Item 27.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR2

Item 27.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Upon the replacement of any conveyor belts the owner or operator shall submit the following information to the Administrator:

- 1) the width of the existing belt being replaced, and
- 2) the width of the replacement conveyor belt.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 28: Compliance Demonstration
Effective between the dates of 03/20/2001 and Permit Expiration Date

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Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR2

Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Upon the replacement of any crushers, grinding mills, bucket elevators, bagging operations, or enclosed truck or railcar loading station the owner or operator shall submit the following information to the Administrator:

1) the rated capacity in tons per hour of existing facility being replaced, and

2) the rated capacity in tons per hour of the replacement equipment.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 29: Compliance Demonstration

Effective between the dates of 03/20/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

Item 29.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-CRUSH

Process: CR2

Item 29.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Upon the replacement of any screening operation the owner or operator shall submit the following information to the

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Administrator:

- 1) the total surface area of the top screen of the existing screening operation being replaced, and
- 2) the total surface area of the top screen of the replacement screening operation.

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



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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STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 2-10: Contaminant List

Effective between the dates of 02/06/2004 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 2-10.1:

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

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

Condition 2-11: Unavoidable noncompliance and violations

Effective between the dates of 02/06/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 2-11.1:

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



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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 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 62: Emission Unit Definition

Effective between the dates of 03/20/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 62.1(From Mod 3):

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

Emission Unit: 0-ASP01

Emission Unit Description:

Processes AS1 and AS2 produce hot mix asphalt by combining heated aggregate and heated liquid asphalt. The aggregate is heated then dried in a rotating dryer fueled by fuel oil (distillate), and/or waste specification oil (Waste Fuel A). The hot, dry aggregate is sorted into



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various sizes on a set of screens and transferred to storage bins. The hot, dry aggregate is weighed in a weigh hopper and transferred to the pugmill where it is mixed with the hot liquid asphalt in batches. Not subject to NSPS.

Item 62.2(From Mod 3):

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

Emission Unit: 0-CRUSH

Emission Unit Description:

The emission unit consists of two processes:

Process (CR1) for non- NSPS sources that were installed prior to 1983, or were replaced "in kind", consisting of two crushers, one screen, and twelve conveyors, and

Process (CR2) for NSPS sources. The process consists of one crusher, two screens and seven conveyors.

Condition 64: Air pollution prohibited
Effective between the dates of 03/20/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 64.1:

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 3-17: Compliance Demonstration
Effective between the dates of 03/07/2007 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Replaces Condition(s) 2-12

Item 3-17.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 3-17.2:

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.

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

The following data must be recorded for each observation:

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

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

If complaints are received on more than one day per seven day period, then the owner or facility representative shall notify the Department by the next business day (Monday thru Friday) of these complaints.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 65: Compliance Demonstration
Effective between the dates of 03/20/2001 and Permit Expiration Date

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

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Item 65.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 65.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell, offer for sale, purchase or use any distillate oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

Condition 66: Emission Point Definition By Emission Unit
Effective between the dates of 03/20/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 66.1(From Mod 3):

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

Emission Unit: 0-ASP01

Emission Point: MQAS5

Height (ft.): 35

Length (in.): 36

Width (in.): 24

Emission Point: MQAS6

Height (ft.): 35

Length (in.): 36

Width (in.): 24

Condition 67: Process Definition By Emission Unit
Effective between the dates of 03/20/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

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Item 67.1(From Mod 3):

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

Emission Unit: 0-ASP01

Process: AS1

Source Classification Code: 3-05-002-01

Process Description:

Process AS1 produces hot mix asphalt by combining heated aggregate and heated liquid asphalt. The aggregate is heated then dried in a rotating dryer fueled by fuel oil (distillate) and/or waste specification oil (Waste Fuel A). The hot, dry aggregate is sorted into various sizes on a set of screens and transferred to storage bins. The hot, dry aggregate is weighed in a weigh hopper and transferred to the pugmill where it is mixed with the hot liquid asphalt in batches.

Emission Source/Control: 0BAG5 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 0ASP5 - Process

Design Capacity: 300 tons per hour

Item 67.2(From Mod 3):

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

Emission Unit: 0-ASP01

Process: AS2

Source Classification Code: 3-05-002-01

Process Description:

Process AS2 produces hot mix asphalt by combining heated aggregate and heated liquid asphalt. The aggregate is heated then dried in a rotating dryer fueled by fuel oil (distillate) and/or waste specification oil (Waste Fuel A). The hot, dry aggregate is sorted into various sizes on a set of screens and transferred to storage bins. The hot, dry aggregate is weighed in a weigh hopper and transferred to the pugmill where it is mixed with the hot liquid asphalt in batches.

Emission Source/Control: 0BAG6 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 0ASP6 - Process

Design Capacity: 360 tons per hour

Item 67.3(From Mod 3):

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

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Emission Unit: 0-CRUSH

Process: CR1

Source Classification Code: 3-05-040-30

Process Description:

Process CR1 involves crushing quarry shot rock and sorting it into aggregates of different sizes. The aggregate is crushed, sent through a series of screens. Transportation between crushers and screens is via conveyor. This process is for non-NSPS sources

Emission Source/Control: WSCR1 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: WSCR2 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 000C1 - Process

Design Capacity: 48 inches

Emission Source/Control: 000C2 - Process

Design Capacity: 30 inches

Emission Source/Control: 000C3 - Process

Design Capacity: 24 inches

Emission Source/Control: 000C4 - Process

Design Capacity: 24 inches

Emission Source/Control: 000C7 - Process

Design Capacity: 24 inches

Emission Source/Control: 000C9 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C10 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C13 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C14 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C15 - Process

Design Capacity: 24 inches

Emission Source/Control: 00C16 - Process



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Design Capacity: 24 inches

Emission Source/Control: 00C17 - Process
Design Capacity: 30 inches

Emission Source/Control: 00C18 - Process
Design Capacity: 18 inches

Emission Source/Control: 00CR2 - Process
Design Capacity: 230 tons per hour

Item 67.4(From Mod 3):

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

Emission Unit: 0-CRUSH

Process: CR2

Source Classification Code: 3-05-040-30

Process Description:

Process CR2 consists of crushing quarry shot rock and sorting it into aggregates of different sizes. The aggregate is crushed, sent through two dry screens and then sorted at a third, wet screen. Transportation between crushers is via conveyor. This process is for NSPS sources.

Emission Source/Control: WSCR3 - Control
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: WSCR4 - Control
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00C5 - Process
Design Capacity: 36 inches

Emission Source/Control: 00C8 - Process
Design Capacity: 48 inches

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

Emission Source/Control: 00C19 - Process
Design Capacity: 36 inches

Emission Source/Control: 00C20 - Process
Design Capacity: 30 inches

Emission Source/Control: 00C21 - Process
Design Capacity: 30 inches

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Emission Source/Control: 00C22 - Process
Design Capacity: 30 inches

Emission Source/Control: 00C23 - Process
Design Capacity: 48 inches

Emission Source/Control: 00CR3 - Process
Design Capacity: 645 tons per hour

Emission Source/Control: 01CR1 - Process
Design Capacity: 685 tons per hour

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

Emission Source/Control: 0SCR3 - Process
Design Capacity: 96 square feet

Emission Source/Control: AGBN1 - Process
Design Capacity: 40 tons