

New York State Department of Environmental Conservation
Facility DEC ID: 5165600029



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

PAir State Facility

Permit ID: 5-1656-00029/00005

Mod 0 Effective Date: 06/26/2001 Expiration Date: No expiration date.

Mod 1 Effective Date: 08/08/2001 Expiration Date: No expiration date.

Permit Issued To: BARRETT PAVING MATERIALS INC
3 BECKER FARM RD
ROSELAND, NJ 07068-1726

SCOTT LOCKERBIE

BARRETT PAVING MATERIALS INC
26572 ROUTE 37
WATERTOWN, NY 13601
(315) 788-9628

Facility: BARRETT PAVING WESTVILLE PLANT
FERRIS RD
WESTVILLE CENTER, NY 13668

Description:

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: ROBERT P FORRESTER
DIVISION OF ENVIRONMENTAL PERMITS
ROUTE 86, 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 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 and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 5
HEADQUARTERS

Submission of Applications for Permit Modification or Renewal -REGION 5
SUBOFFICE



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

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

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

Item 3.1:

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

Item 3.2:

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

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

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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 1-1: Submission of Applications for Permit Modification or Renewal -REGION 5 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.5(a)

Item 1-1.1:

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 5 SUBOFFICE

Applicable State Requirement: 6NYCRR 621.5(a)

Expired by Mod No: 1

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
232 Hudson St, 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

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3 BECKER FARM RD
ROSELAND, NJ 07068-1726

Facility: BARRETT PAVING WESTVILLE PLANT
FERRIS RD
WESTVILLE CENTER, NY 13668

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



LIST OF CONDITIONS

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Facility Level

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- 3 6NYCRR 200.7: Maintenance of equipment
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- 8 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the Air
- 10 6NYCRR 201-3.2(a): Proof of Eligibility
- 11 6NYCRR 201-3.3(a): Proof of Eligibility
- 12 6NYCRR 202-1.1: Required emissions tests
- 13 6NYCRR 211.3: Visible emissions limited.
- 1 6NYCRR 200.5: Sealing
- 2 6NYCRR 200.6: Acceptable ambient air quality
- 4 6NYCRR 201-1.2: Unpermitted Emission Sources
- 5 6NYCRR 201-1.4: Unavoidable Noncompliance and Violations
- 6 6NYCRR 201-1.5: Emergency Defense
- 9 6NYCRR 201-1.10(a): Public Access to Recordkeeping
- 1-1 6NYCRR 201-6.1(a): Facility Permissible Emissions
- 1-2 6NYCRR 201-7.2(e): Compliance Demonstration
- 1-3 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 1-4 6NYCRR 225-1.8(a): Compliance Demonstration
- 1-5 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples

Emission Unit Level

- 1-6 6NYCRR 201-6.1(a): Process Permissible Emissions

EU=1-WESTV

- 1-7 6NYCRR 212.9(d): Compliance Demonstration

EU=1-WESTV,EP=00001,Proc=P01,ES=000D1

- *1-8 6NYCRR 201-6.1(a): Compliance Demonstration
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STATE ONLY ENFORCEABLE CONDITIONS

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- 15 6NYCRR 201-5: General Provisions
- 16 6NYCRR 201-5: Permit Exclusion Provisions
- 17 6NYCRR 201-5: Emission Unit Definition
- 20 6NYCRR 201-5.3(b): Contaminant List
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Emission Unit Level

- 18 6NYCRR 201-5: Emission Point Definition By Emission Unit
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NOTE: * preceding the condition number indicates capping. Mod 0 Permit Effective Date:
06/26/2001 Permit Expiration Date: No expiration date.

Mod 1 Permit Effective Date: 08/08/2001

Permit Expiration Date: No expiration date.

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FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 14: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable Federal 16NYCRR 215

Item 14.1:

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.

Condition 3: Maintenance of equipment
Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable Federal 6NYCRR 200.7

Item 3.1:

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

Condition 7: Recycling and Salvage
Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable Federal 6NYCRR 201-1.7

Item 7.1:

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.

Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 8.1:

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

Condition 10: Proof of Eligibility
Effective between the dates of 06/26/2001 and Permit Expiration Date

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Applicable Federal Requirement: 6NYCRR 201-3.2(a)

Item 10.1:

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.

Condition 11: Proof of Eligibility

Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-3.3(a)

Item 11.1:

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

Condition 12: Required emissions tests

Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 12.1:

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.

Condition 13: Visible emissions limited.

Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.3

Item 13.1:

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-

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

Condition 5: Unavoidable Noncompliance and Violations
Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.4

Item 5.1:

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 or certificate issued for the corresponding air contamination source. 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.
- (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.



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Emergency Defense

Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 6.1:

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

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

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

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Condition 9:

Public Access to Recordkeeping

Effective between the dates of 06/26/2001 and Permit Expiration Date

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

Item 9.1:

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

Condition 1-1:

Facility Permissible Emissions



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Effective between the dates of 08/08/2001 and Permit Expiration Date

Applicable Fe6NYCRR 201-6.1(a)

Item 1-1.1:

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

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

CAS No: 000(From Mod 1)

PTE: 199,800 pounds per year

Name: CARBON MONOXIDE

Condition 1-2: Compliance Demonstration

Effective between the dates of 08/08/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2(e)

Item 1-2.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

On an annual basis 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 within the limits imposed by the emissions cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to those threshold values that would require compliance with an applicable requirement.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 07/25/2002 for the period 08/08/2001 through 06/25/2002

Condition 1-3: Compliance Demonstration

Effective between the dates of 08/08/2001 and Permit Expiration Date

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

Item 1-3.1:

The Compliance Demonstration activity will be performed for the Facility.

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Item 1-3.2:

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

Condition 1-4:

Compliance Demonstration

Effective between the dates of 08/08/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-1.8(a)

Item 1-4.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS NSULFUR DIOXIDE

Item 1-4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE FACILITY SHALL RETAIN FUEL SUPPLIER CERTIFICATION FOR EACH SHIPMENT OF OIL RECEIVED. SUCH CERTIFICATIONS SHALL CONTAIN, AS A MINIMUM, SUPPLIER NAME, DATE OF SHIPMENT, QUANTITY SHIPPED, HEATING VALUE OF THE OIL, OIL SULFUR CONTENT, AND THE METHOD USED

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

New York State Department of Environmental Conservation

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Condition 1-5: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 08/08/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-1.8(d)

Item 1-5.1:

All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.

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

Condition 1-6: Process Permissible Emissions
Effective between the dates of 08/08/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.1(a)

Item 1-6.1:

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

Emission Unit:	1-WESTV	ProctP01
	CAS No: 000630-08-0	(From Mod 1)
	Name: CARBON MONOXIDE	
	PTE(s): 72.3	pounds per hour
	198,693	pounds per year

Condition 1-7: Compliance Demonstration
Effective between the dates of 08/08/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.9(d)

Item 1-7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-WESTV

Regulated Contaminant(s):
CAS No: PARTICULATES

Item 1-7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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The following equation shall be used to determine the permissible solid particulate emission rate (based on process weight):

for existing sources greater than 100,000 lb/hr - $E = [39P^{(0.082)}] - 50$;

where:

E - is the permissible emission rate, and
P - is the process weight in lb/hr.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 1-8: Compliance Demonstration

Effective between the dates of 08/08/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.1(a)

Item 1-8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-WESTV Emission Point: 00001
Process: P01 Emission Source: 000D1

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 1-8.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:
TO MAINTAIN CARBON MONOXIDE EMISSIONS BELOW 99.9 TONS ASPHALT PRODUCTION WILL NOT EXCEED 495,000 TONS WHILE COMBUSTING #2 FUEL OIL DURING ANY CONSECUTIVE 12

MONTH PERIOD.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: ASPHALTIC CONCRETE
Upper Permit Limit: 495000 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (ANNIVERSARY)

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Initial Report Due: 07/25/2002 for the period 08/08/2001 through 06/25/2002

Condition 1-9:

Compliance Demonstration

Effective between the dates of 08/08/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 1-9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-WESTV Emission Point: 00001
Process: P01 Emission Source: 000D1

Item 1-9.2:

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 FROM
ANY PROCESS EMISSION SOURCE, EXCEPT ONLY
THE EMISSION OF UNCOMBINED WATER.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: METHOD 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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STATE ONLY ENFORCEABLE CONDITIONS

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

General Provisions

Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 15.1:

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

Item 15.2:

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

Item 15.3:

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

Condition 16: Permit Exclusion Provisions

Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 16.1:

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements



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contained in such order or modification thereof unless specifically intended by this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 17: Emission Unit Definition

Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 17.1(From Mod 1):

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

Emission Unit: 1-WESTV

Emission Unit Description:

EMISSION UNIT 1 WESTV CONSISTS OF ONE HOT MIX ASPHALT PLANT AND ASSOCIATED CONTROL EQUIPMENT USED IN THE MANUFACTURING OF ASPHALTIC CONCRETE. THE FACILITY INCLUDES ONE 3 TON BATCH PLANT. THE BATCH PLANT HAS ONE PROCESS SOURCE (THE DRYER) AND ONE PRIMARY CONTROL.

Condition 20:

Contaminant List

Effective between the dates of 06/26/2001 and Permit Expiration Date

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

Item 20.1:

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

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 007446-09-5

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Name: SULFUR DIOXIDE

Condition 21: Air pollution prohibited
Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable State R6NYCRR 211.2

Item 21.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

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

Condition 18: Emission Point Definition By Emission Unit
Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable State R6NYCRR 201-5

Item 18.1(From Mod 1):

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

Emission Unit: 1-WESTV

Emission Point: 00001
Height (ftDiameter (in.): 36

Condition 19: Process Definition By Emission Unit
Effective between the dates of 06/26/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 19.1(From Mod 1):

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

Emission Unit: 1-WESTV

Process: P01

Process Description:

AGGREGATE IS DRIED IN A #2 FUEL OIL FIRED
ROTARY DRYER. THE DRIED AGGREGATE IS MIXED
WITH HOT LIQUID ASPHALT IN A PUGMILL AND IS
LOADED INTO HAUL TRUCKS.

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Permit ID: 5-1656-00029/00005 Facility DEC ID: 5165600029



Emission S00BH1 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 0CYC1 - Control
Control Type: SINGLE CYCLONE

Emission Source/Control: 0CYC2 - Control
Control Type: SINGLE CYCLONE

Emission S00D1 - Process
Design Capacity: 180 tons per hour