

New York State Department of Environmental Conservation
Facility DEC ID: 5520500017



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 5-5205-00017/00012
Mod 0 Effective Date: 07/19/1999 Expiration Date: No expiration date.
Mod 3 Effective Date: 02/01/2006 Expiration Date: No expiration date.

Permit Issued To: JOINTA GALUSHA LLC
PO BOX 302
GLENNS FALLS, NY 12801-0302

Contact: JOHN P DAVIDSON
JOINTA GALUSHA LLC
PO BOX 302
GLENNS FALLS, NY 12801-0302
(518) 792-5029

Facility: JOINTA GALUSHA LLC LIME QUARRY
203 WARREN ST
GLENNS FALLS, NY 12801

Description:

The facility conducts aggregate processing and produces hot mix asphalt. This permit authorizes operation of the following two emission units at this location only. Emission unit U-00BMP is made up of a 240 ton per hour batch mix asphalt plant powered by a diesel engine-generator set. The asphalt plant emissions are controlled by a fabric filter baghouse. The asphalt plant drier fires either No. 4 fuel oil or a blend of No. 4 oil and used oil (specification waste fuel A). The second emission unit, U-PORT1, is made up of five stone crushers, four screens, 16 conveyors, and three diesel engine-generator sets. The equipment in U-PORT1 is portable and operates intermittently at this site and at other facilities owned and/or operated by the Permittee or its affiliates.

The Permittee has requested that federally-enforceable emission caps be placed in this permit to limit emissions of oxides of nitrogen, sulfur dioxide, particulate matter, volatile organic compounds and carbon monoxide to below the Title V applicability thresholds of 6NYCRR Subpart 201-6, the Prevention of Significant Deterioration of Air Quality (PSD) applicability thresholds of 40 CFR 52.21, the New Source Review in Nonattainment Areas (NSR) applicability thresholds of 6NYCRR Subpart 231-2, and the NOx/VOC Reasonably Available Control Technology applicability thresholds of 6NYCRR Section 212.10. This permit contains production-based emission factors from which the Permittee must calculate the facility-wide 12-month rolling total emissions on a monthly basis to demonstrate compliance with the emission caps.

Regulatory applicability for the facility equipment is as follows: the asphalt plant is subject to the



New York State Department of Environmental Conservation
Facility DEC ID: 5520500017

requirements of the New Source Performance Standards (NSPS) in 40 CFR 60, Subpart I; all of the permitted aggregate processing equipment (crushers, screens, conveyors) at this facility are subject to the NSPS requirements of 40 CFR 60, Subpart OOO. The diesel engines are subject to the requirements of 6NYCRR Subpart 227-1.

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 HUDSON ST, 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 and Modifications

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



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 and Modifications
Applicable State Requirement: 6NYCRR 621.13

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 actual



New York State Department of Environmental Conservation
Facility DEC ID: 5520500017

transfer of ownership.

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

Expired by Mod No: 3

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 3-2: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Replaces Condition(s) 4

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

Replaced by Condition(s) 3-2

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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: JOINTA GALUSHA LLC
PO BOX 302
GLENS FALLS, NY 12801-0302

Facility: JOINTA GALUSHA LLC LIME QUARRY
203 WARREN ST
GLENS FALLS, NY 12801

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

Mod 0 Permit Effective Date: 07/19/1999

Permit Expiration Date: No expiration date.

Mod 3 Permit Effective Date: 02/01/2006

Permit Expiration Date: No expiration date.



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 9 6NYCRR 201-1.10(a): Public Access to Recordkeeping
- 3-1 6NYCRR 201-7: Facility Permissible Emissions
- *3-2 6NYCRR 201-7: Capping Monitoring Condition
- *3-3 6NYCRR 201-7: Capping Monitoring Condition
- *3-4 6NYCRR 201-7: Capping Monitoring Condition
- 3-5 6NYCRR 211.4: VOC prohibited
- 3-6 6NYCRR 211.4(b): Compliance Demonstration
- 3-7 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 24 6NYCRR 225-2.4: Compliance Demonstration
- 25 6NYCRR 225-2.7: Reports, sampling, and analysis of waste fuels A and B
- 3-8 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration

Emission Unit Level

EU=U-00BMP,Proc=001,ES=BMP01

- 3-9 6NYCRR 225-2.3(b)(3): Compliance Demonstration

EU=U-00BMP,EP=AP001

- 3-10 6NYCRR 212.4(a): Compliance Demonstration
- 3-11 40CFR 60.92, NSPS Subpart I: Compliance Demonstration

EU=U-00BMP,EP=APG01

- 28 6NYCRR 227-1.3(a): Compliance Demonstration

EU=U-PORT1

- 30 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration

EU=U-PORT1,Proc=CRH

- 3-12 40CFR 60.672(c), NSPS Subpart OOO: Compliance Demonstration

EU=U-PORT1,Proc=ENG

- 33 6NYCRR 227-1.3(a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 3-13 ECL 19-0301: Contaminant List
- 3-14 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 35 6NYCRR 201-5: General Provisions
- 36 6NYCRR 201-5: Emission Unit Definition
- 37 6NYCRR 201-5.3(b): Exceedance of a Facility Cap



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

38 6NYCRR 201-5.3(b): Compliance Demonstration

39 6NYCRR 201-5.3(b): Compliance Demonstration

40 6NYCRR 211.2: Air pollution prohibited

3-15 6NYCRR 211.2: Compliance Demonstration

Emission Unit Level

43 6NYCRR 201-5: Emission Point Definition By Emission Unit

44 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

New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017



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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

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 9: Public Access to Recordkeeping
Effective between the dates of 07/19/1999 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 3-1: Facility Permissible Emissions
Effective between the dates of 02/01/2006 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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

following

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

CAS No: 000630-08-0 (From Mod 3) PTE: 194,000 pounds per year
Name: CARBON MONOXIDE

CAS No: 007446-09-5 (From Mod 3) PTE: 194,000 pounds per year
Name: SULFUR DIOXIDE

CAS No: 0NY075-00-5 (From Mod 3) PTE: 194,000 pounds per year
Name: PM-10

CAS No: 0NY210-00-0 (From Mod 3) PTE: 194,000 pounds per year
Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0 (From Mod 3) PTE: 99,000 pounds per year
Name: VOC

Condition 3-2: Capping Monitoring Condition
Effective between the dates of 02/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Item 3-2.1:

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

Item 3-2.2:

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

Item 3-2.3:

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 3-2.4:

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

New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017



levels that would require compliance with an applicable requirement.

Item 3-2.5:

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 3-2.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3-2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall be limited to a rolling 12-month total PM-10 emission rate of 97 tons per year. Facility-wide PM-10 emissions shall be calculated using the following PM-10 emission factors and summing the results (note that PM-10 from all emission sources must be counted towards the annual cap, regardless of whether an emission factor is provided):

for asphalt production - 0.027 lbs PM-10 / ton asphalt produced

for asphalt load out - .000522 lbs PM-10/tons asphalt produced

for 250 hp or smaller gasoline IC engines - 0.013 lbs PM-10 / gallon gas fired

for 600 hp or smaller diesel IC engines - 0.043 lbs PM-10 / gallon diesel fired

for diesel engines greater than 600 hp - 0.0137 lbs PM-10 / gallon diesel fired

for primary and secondary crushing - 0.00054 lbs PM-10 / ton material throughput

for tertiary (fines) (controlled) crushing - 0.00054 lbs PM-10 / ton material throughput



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

for fines screening (controlled) - 0.0022 lbs PM-10 / ton material throughput

for all other screening (controlled)(except fines) - 0.00074 lbs PM-10 / ton material throughput

for conveyor transfer point with wet suppression - 4.6E-5 lbs PM-10 / ton throughput

for conveyor transfer point without wet suppression - 0.0011 lbs PM-10 / ton throughput

for truck loading conveyor transfer point - 0.0001 lbs PM-10 / ton throughput

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 08/17/2006 for the period 02/01/2006 through 07/18/2006

Condition 3-3: Capping Monitoring Condition

Effective between the dates of 02/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Item 3-3.1:

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

6NYCRR 201-6.1

Item 3-3.2:

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

Item 3-3.3:

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

Item 3-3.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

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 3-3.5:

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

Item 3-3.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall be limited to a rolling 12-month total Carbon Monoxide (CO) emission rate of 97 tons per year. This restriction will limit CO emissions below major source threshold. Facility-wide CO emissions shall be calculated using the following emission factors and summing the results (note that CO from all sources must be counted towards the annual cap, regardless of whether an emission factor is provided):

for asphalt production - 0.40 lbs CO / ton asphalt produced

for asphalt load out - 0.0014 lbs CO/ ton asphalt produced

for 600 hp or smaller diesel IC engines - 0.13 lbs CO / gallon diesel

for 600 hp or larger diesel engines - 0.1165 lbs CO / gallon diesel

for Number 2 fuel oil fired hot asphalt heaters - 0.04 lbs CO / mmBTU

for Number 4 fuel oil fired hot asphalt heaters - 0.04 lbs CO / mmBTU

Monitoring Frequency: MONTHLY



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 08/17/2006 for the period 02/01/2006 through 07/18/2006

Condition 3-4: Capping Monitoring Condition

Effective between the dates of 02/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Item 3-4.1:

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

Item 3-4.2:

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

Item 3-4.3:

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 3-4.4:

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 3-4.5:

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

Item 3-4.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

CAS No: 0NY998-00-0 VOC

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

Item 3-4.7:

New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017



Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall be limited to a rolling 12-month total Oxides of Nitrogen (NO_x) emission rate of 97 tons per year. This restriction will also limit Sulfur Dioxide (SO₂) and Volatile Organic Compounds (VOCs) to below their respective major thresholds. Facility-wide NO_x emissions shall be calculated using the following NO_x emission factors and summing the results (note that NO_x from all emission sources must be counted towards the annual cap, regardless of whether an emission factor is provided):

for asphalt production - 0.12 lbs NO_x / ton asphalt produced

for 250 hp or smaller gasoline IC engines - 0.21 lbs NO_x / gallon gas

for 600 hp or smaller diesel IC engines - 0.60 lbs NO_x / gallon diesel

for diesel engines greater than 600 hp - 0.43 lbs NO_x / gallon diesel

for Number 2 fuel oil-fired hot asphalt oil heaters - 0.15 lbs NO_x / mmBtu

for Number 4 fuel oil-fired hot asphalt oil heaters - 0.15 lbs NO_x / mmBtu

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 08/17/2006 for the period 02/01/2006 through 07/18/2006

Condition 3-5: VOC prohibited

Effective between the dates of 02/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.4

Item 3-5.1:

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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

- (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 3-6: Compliance Demonstration

Effective between the dates of 02/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.4(b)

Item 3-6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 3-6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The amount of volatile organic compounds in emulsified asphalt, as determined by testing methods of the ASTM (American Society for Testing and Materials), may not exceed the following amounts in percent by weight:

- (1) two percent for ASTM grades RS-1, SS-1, SS-1h, CSS-1, and CSS- 1h;
- (2) three percent for ASTM grades RS-2, CRS-1, CRS-2, HFRS-2, and HFMS-2h;
- (3) 10 percent for ASTM grades MS-2 and HFMS-2;
and
- (4) 12 percent for ASTM grades CMS-2 and CMS-2h.

The facility must maintain records demonstrating compliance in a format acceptable to the Department.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3-7: Compliance Demonstration

Effective between the dates of 02/01/2006 and Permit Expiration Date

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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Item 3-7.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 3-7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Sulfur content of fuel oil burned at the facility shall not exceed 1.5% by weight per 6NYCRR 224-1.2(d), Table2.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 24: Compliance Demonstration

Effective between the dates of 07/19/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.4

Item 24.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 24.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Waste fuel constituents as burned shall not exceed the following levels:

PCB	less than 50 ppm (*)
Total Halogens	1,000 ppm (*) maximum
Sulfur	1.5 percent by weight
Lead	250 ppm (*) maximum
Heat Content	125,000 Btu/gallon minimum

(*) ppm by weight (water free basis) of fuel.

New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017



Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 25: Reports, sampling, and analysis of waste fuels A and B
Effective between the dates of 07/19/1999 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 225-2.7

Item 25.1:

The permittee shall keep on file an analysis, performed by a reputable laboratory, of the waste oil to be burned at the facility. The parameters to be reported in this analysis shall include: the concentrations of total halogens, PCBs, lead, cadmium, and chromium in the oil sample, as well as the heat content (in BTU/gallon) of the oil. The sulfur content of the oil (in percent by weight) shall also be included in this report. These reports must be kept on site for a period of five (5) years, and must be made available for inspection by NYSDEC and/or USEPA during normal business hours.

**Condition 3-8: Compliance Demonstration
Effective between the dates of 02/01/2006 and Permit Expiration Date**

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

Replaces Condition(s) 31, 34

Item 3-8.1:

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

Emission Unit: U-PORT1
Process: CON

Emission Unit: U-PORT1
Process: SCN

Item 3-8.2:

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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

greater than 10 percent opacity, except as provided in paragraphs 40 CFR Part 60.672(c), (d), and (e) of this section.

Performance testing shall be conducted in accordance with 40CFR 60.8, except in (d). In addition, the Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 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

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

Condition 3-9: Compliance Demonstration

Effective between the dates of 02/01/2006 and Permit Expiration Date

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

Replaces Condition(s) 22, 23

Item 3-9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00BMP

Process: 001

Emission Source: BMP01

Item 3-9.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The combustion efficiency while burning waste oil A shall be at least 99%. The Department reserves the right to require stack testing at its discretion.

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Permit Limit: 99 percent



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Reference Test Method: EPA Method 3A, 10

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 3-10: Compliance Demonstration

Effective between the dates of 02/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.4(a)

Item 3-10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00BMP Emission Point: AP001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 3-10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emissions from the asphalt plant shall not exceed 0.030 grain per standard cubic foot of undiluted exhaust gas on a dry basis.

Compliance with this limit also assures compliance with the particulate limit (0.040 grain per dscf) specified in 40CFR 60.92, NSPS Subpart I.

Stack testing shall be conducted at the discretion of EPA or the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.030 grains per dscf

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 02/01/2006 and Permit Expiration Date

New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017



Applicable Federal Requirement: 40CFR 60.92, NSPS Subpart I

Replaces Condition(s) 26

Item 3-11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00BMP Emission Point: AP001

Item 3-11.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Opacity from the hot mix asphalt plant shall not exceed 20 percent. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during the facility operation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 28: Compliance Demonstration

Effective between the dates of 07/19/1999 and Permit Expiration Date

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

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00BMP Emission Point: APG01

Item 28.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

upon the six minute average in reference test method 9 in
Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 30: Compliance Demonstration

Effective between the dates of 07/19/1999 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

Item 30.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-PORT1

Item 30.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Permittee shall submit initial notifications to the
Department and the USEPA for new, modified or
reconstructed equipment in accordance with 40 CFR 60.7 and
60.676.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 3-12: Compliance Demonstration

Effective between the dates of 02/01/2006 and Permit Expiration Date

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

Replaces Condition(s) 32

Item 3-12.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-PORT1

Process: CRH

Item 3-12.2:

Compliance Demonstration shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

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.

Performance testing shall be conducted in accordance with 40CFR 60.8, except in (d). In addition, the Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

Parameter Monitored: OPACITY

Upper Permit Limit: 15 percent

Reference Test Method: 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 33: Compliance Demonstration
Effective between the dates of 07/19/1999 and Permit Expiration Date

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

Item 33.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-PORT1

Process: ENG

Item 33.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

New York State Department of Environmental Conservation
Permit ID: 5-5205-00017/00012 Facility DEC ID: 5520500017



Appendix A of 40 CFR 60.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017



law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 3-13: Contaminant List

Effective between the dates of 02/01/2006 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 3-13.1:

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

CAS No: 0NY998-00-0

Name: VOC

Condition 3-14: Unavoidable noncompliance and violations

Effective between the dates of 02/01/2006 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 3-14.1:

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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

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

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air 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 35: General Provisions

Effective between the dates of 07/19/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 35.1:

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 35.2:



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

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 35.3:

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 36: Emission Unit Definition

Effective between the dates of 07/19/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 36.1(From Mod 3):

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

Emission Unit: U-00BMP

Emission Unit Description:

Portable 4 ton/minute bituminous concrete batch mix plant. Plant powered by a diesel engine-generator set (Cat model #3508DITA).

Item 36.2(From Mod 3):

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

Emission Unit: U-PORT1

Emission Unit Description:

Operation of a portable aggregate processing plant. Processing equipment includes: 440 ton/hr jaw crusher, 504 ton/hr jaw crusher, a 375 ton/hr jaw crusher, a 230 ton/hr gyratory crusher, a 200 ton/hr vertical impact crusher, a 5' X 16' - 230 ton per hour single/double deck screen, a 5' X 16' triple deck screen, two 6' X 20' triple deck screens, and a total of 16 conveyors. The plant equipment is powered by three diesel engine-generator sets: Cat model #3412C DITA, Cat model #3408 and Cummins model #D-19. The equipment contained in this emission unit operates intermittently at this facility and at other facilities operated by the permittee and/or its affiliates. This permit authorizes operation at this facility only.

Condition 37: Exceedance of a Facility Cap



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Effective between the dates of 07/19/1999 and Permit Expiration Date

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

Item 37.1:

Any exceedance of the rolling annual limits contained in the capping conditions must be reported to the Department in writing within thirty (30) days of the occurrence.

Condition 38: Compliance Demonstration

Effective between the dates of 07/19/1999 and Permit Expiration Date

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

Item 38.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 38.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following recordkeeping and reporting shall be conducted with respect to the relocation of processing equipment to other permitted locations:

- The date of startup at each approved location must be recorded;
- Notification of relocation to a different, preapproved location must be provided at least 15 days in advance to the Regional Air Pollution Control Engineer in Region 5;
- Volume of #2 fuel oil (diesel) used in each IC engine per month per location must be recorded;
- All records must be maintained at the Pallette Saratoga Springs facility for 5 years and be available by the 10th day of the following month;
- A copy of the facility specific permit must be available at each preapproved location.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 39: Compliance Demonstration

Effective between the dates of 07/19/1999 and Permit Expiration Date

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

New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017



Item 39.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 39.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In the event of an emissions control equipment failure, the associated process equipment must shut down immediately and remain shut down until the emissions control equipment is fully operational. All such equipment failures must be reported to the Department within 72 hours of the occurrence.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 40: Air pollution prohibited

Effective between the dates of 07/19/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 40.1:

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 3-15: Compliance Demonstration

Effective between the dates of 02/01/2006 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 3-15.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 3-15.2:

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.



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

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: AS REQUIRED - SEE MONITORING DESCRIPTION

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



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

**Condition 43: Emission Point Definition By Emission Unit
Effective between the dates of 07/19/1999 and Permit Expiration Date**

Applicable State Requirement: 6NYCRR 201-5

Item 43.1(From Mod 3):

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

Emission Unit: U-00BMP

Emission Point: AP001

Height (ft.): 32

Length (in.): 59

Width (in.): 33

NYTMN (km.): 4795.824 NYTME (km.): 611.032

Item 43.2(From Mod 3):

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

Emission Unit: U-PORT1

Emission Point: 10006

Height (ft.): 14

Diameter (in.): 8

Item 43.3(From Mod 0):

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

Emission Unit: U-00BMP

Emission Point: APG01

Height (ft.): 10

Diameter (in.): 10

NYTMN (km.): 4795.824 NYTME (km.): 611.032

Item 43.4(From Mod 0):

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

Emission Unit: U-PORT1

Emission Point: 00002

Height (ft.): 20

Length (in.): 60

Width (in.): 192

Emission Point: 10001

Height (ft.): 10

Length (in.): 22

Width (in.): 50

Emission Point: 10003

Height (ft.): 10

Diameter (in.): 48

Emission Point: 10004

Height (ft.): 10

Length (in.): 48

Width (in.): 192



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Emission Point: 10007
Height (ft.): 14 Diameter (in.): 6

Emission Point: E0002
Height (ft.): 10 Length (in.): 35 Width (in.): 27

Emission Point: E00G1
Height (ft.): 10 Diameter (in.): 4

**Condition 44: Process Definition By Emission Unit
Effective between the dates of 07/19/1999 and Permit Expiration Date**

Applicable State Requirement: 6NYCRR 201-5

Item 44.1(From Mod 3):

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

Emission Unit: U-00BMP
Process: 001 Source Classification Code: 3-05-002-05
Process Description:

Production of hot mix asphalt in portable 4 ton/minute bituminous concrete batch mix plant (Source ID: BMP01). Crushed stone is conveyed to a rotary dryer which dries and heats aggregate which is then screened into storage bins, fed to a hopper, and transferred to a pug mill where it is mixed with asphaltic concrete. Batch mix plant emissions controlled by a baghouse (Control ID: BAGH1) and exhausted to emission point AP001. The asphalt plant dryer fires either No. 4 oil or a blend of No. 4 oil and Waste Fuel A.

Emission Source/Control: BAGH1 - Control
Control Type: FABRIC FILTER

Emission Source/Control: BMP01 - Process
Design Capacity: 240 tons per hour

Item 44.2(From Mod 3):

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

Emission Unit: U-00BMP
Process: 002 Source Classification Code: 2-02-001-02
Process Description:

Combustion of diesel fuel in an internal combustion engine, Caterpillar generator set model 3508 DITA (Source ID: GEN01A). Engine exhausted through emission point



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

APG01.

Emission Source/Control: GEN1A - Combustion

Item 44.3(From Mod 3):

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

Emission Unit: U-PORT1

Process: CON

Source Classification Code: 3-05-016-07

Process Description:

Conveying of aggregate material. Emission sources include 16 conveyors (ID: CNVRS).

Emission Source/Control: CNVRS - Process

Design Capacity: 230 tons per hour

Item 44.4(From Mod 3):

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

Emission Unit: U-PORT1

Process: CRH

Source Classification Code: 3-05-320-01

Process Description:

Crushing of aggregate material. Emission sources include:

Any one of the following at Emission Point 10001 (primary crusher) - Telesmith 440 TPH jaw crusher (ID: 0J440), Cedar Rapids 504 TPH jaw crusher (ID: 0J504) or Eagle 1400 375 TPH jaw crusher (ID: 0J375). The Eagle 1400 crusher is controlled by a water spray (control ID: WAT03).

Any one of the following at Emission Point 10003 (secondary crusher) - Telesmith 48S 230 TPH gyratory crusher (ID: 0G230) or Cemco 80 200 TPH vertical impact crusher (ID: 0I200).

Emission Source/Control: WAT03 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 0G230 - Process

Design Capacity: 230 tons per hour

Emission Source/Control: 0I200 - Process

Design Capacity: 200 tons per hour

Emission Source/Control: 0J375 - Process

Design Capacity: 375 tons per hour



New York State Department of Environmental Conservation

Permit ID: 5-5205-00017/00012

Facility DEC ID: 5520500017

Emission Source/Control: 0J440 - Process
Design Capacity: 440 tons per hour

Emission Source/Control: 0J504 - Process
Design Capacity: 504 tons per hour

Item 44.5(From Mod 3):

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

Emission Unit: U-PORT1

Process: ENG

Source Classification Code: 2-02-001-02

Process Description:

Combustion of diesel fuel in IC engine-generator sets.

Emission sources include: Cat model # 3412C DITA (ID: GEN5A) at emission point 10006, Cummins model #D19 (ID: GEN06) at emission point E00G1, and Cat model #3408 (ID: GEN07) at emission point 10007.

Emission Source/Control: GEN06 - Combustion
Design Capacity: 25 gallons per hour

Emission Source/Control: GEN07 - Combustion

Emission Source/Control: GEN5A - Combustion

Item 44.6(From Mod 3):

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

Emission Unit: U-PORT1

Process: SCN

Source Classification Code: 3-05-320-14

Process Description:

Screening of aggregate material. Emission sources include: Cedar Rapids 5'X16' 230 TPH single/double deck screen (ID: SCR1) at emission point 10004, Pioneer 5'X16' triple deck screen (ID: SCR2) at emission point 00002, and two Eagle 6'X20' triple deck screens (SCR3 & SCR4) at emission point E0002. The conveyor feeding the Cedar Rapids screen is equipped with a water spray for dust control (control ID: WAT02).

Emission Source/Control: WAT02 - Control
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: SCR1 - Process
Design Capacity: 230 tons per hour

New York State Department of Environmental Conservation
Permit ID: 5-5205-00017/00012 Facility DEC ID: 5520500017



Emission Source/Control: SCR2 - Process

Emission Source/Control: SCR3 - Process

Emission Source/Control: SCR4 - Process