

New York State Department of Environmental Conservation
Facility DEC ID: 622200604



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 6-2222-00604/00002
Effective Date: 08/14/2001 Expiration Date: No expiration date

DEC PROPERTIES INC

BOX 219
ALEXANDRIA BAY, NY 13607-0219

Contact: DONALD E COLE
PO BOX 219 HOLLAND STREET
ALEXANDRIA BAY, NY 13607-0219

Facility: BONNIE CASTLE RECREATION CENTER
NYS STATE ROUTE 12
ALEXANDRIA BAY, NY 13607

DONALD E COLE

PO BOX 219 HOLLAND STREET
ALEXANDRIA BAY, NY 13607-0219

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: BRIAN D FENLON
DIVISION OF ENVIRONMENTAL PERMITS
STATE OFFICE BLDG, 317 WASHINGTON ST
WATERTOWN, NY 13601-3787

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



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

Item 5.1:

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

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



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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: DEC PROPERTIES INC
BOX 219
ALEXANDRIA BAY, NY 13607-0219

Facility: BONNIE CASTLE RECREATION CENTER
NYS STATE ROUTE 12
ALEXANDRIA BAY, NY 13607

Authorized Activity By Standard Industrial Classification Code:
1422 - CRUSHED AND BROKEN



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 17 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 3 6NYCRR 200.7: Maintenance of equipment
- 7 6NYCRR 201-1.7: Recycling and Salvage
- 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
- 16 6NYCRR 211.3: Visible emissions limited.
- 1 6NYCRR 200.5: Sealing
- 2 6NYCRR 200.6: Acceptable ambient air quality
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- 6 6NYCRR 201-1.5: Emergency Defense
- 9 6NYCRR 201-1.10(a): Public Access to Recordkeeping
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- 14 6NYCRR 202-1.3: Acceptable procedures
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- 18 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 19 6NYCRR 227-1.3(a): Compliance Demonstration
- 20 6NYCRR 227-1.6(a): Corrective action.
- 21 6NYCRR 227-1.6(b): Corrective action.
- 22 6NYCRR 227-1.6(c): Corrective action.
- 23 6NYCRR 227-1.6(d): Corrective action.
- 24 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 25 40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
- 26 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 27 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 28 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 29 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 30 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 31 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 32 40CFR 60.9, NSPS Subpart A: Availability of information.
- 33 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 34 40CFR 60.12, NSPS Subpart A: Circumvention.
- 35 40CFR 60.14, NSPS Subpart A: Modifications.
- 36 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
- 37 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
- 38 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration
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40 40CFR 60.676(f), NSPS Subpart OOO: Compliance Demonstration
Emission Unit Level

EU=1-BONNI

41 40CFR 60.676(a), NSPS Subpart OOO: Reporting and Recordkeeping for
Replacement of Equipment

EU=1-BONNI,Proc=P01

42 40CFR 60.675, NSPS Subpart OOO: Test methods and procedures.

EU=1-BONNI,Proc=P01,ES=00C3

43 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration

EU=1-BONNI,Proc=P01,ES=00H3

44 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration

EU=1-BONNI,Proc=P01,ES=00CR1

45 6NYCRR 212.6(a): Compliance Demonstration

EU=1-BONNI,Proc=P01,ES=00SC1

48 40CFR 60.8(b), NSPS Subpart A: Performance test methods.

46 40CFR 60.15, NSPS Subpart A: Reconstruction.

EU=1-BONNI,Proc=P01,ES=00SC2

47 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

49 6NYCRR 201-5: General Provisions

50 6NYCRR 201-5: Permit Exclusion Provisions

51 6NYCRR 201-5: Emission Unit Definition

52 6NYCRR 201-5.3(b): Contaminant List

53 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

54 6NYCRR 201-5: Process Definition By Emission Unit

LIMESTONE

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FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 17: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal I6NYCRR 215

Item 17.1:

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 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 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 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 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 08/14/2001 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 08/14/2001 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 08/14/2001 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 08/14/2001 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 16: Visible emissions limited.

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.3

Item 16.1:

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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minute period per hour of not more than 57 percent opacity.

Condition 1: Sealing
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.5

Item 1.1:

(a) 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 labelling 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.

(b) 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.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 2: Acceptable ambient air quality
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.6

Item 2.1:

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.

Condition 4: Unpermitted Emission Sources
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 4.1:

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.

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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 08/14/2001 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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Condition 6: Emergency Defense
Effective between the dates of 08/14/2001 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 08/14/2001 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 13: Notification



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Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.2

Item 13.1:

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

Condition 14: Acceptable procedures

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.3

Item 14.1:

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

Condition 15: Acceptable procedures - Stack test report submittal

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.3

Item 15.1:

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

Condition 18: Compliance Demonstration

Effective between the dates of 08/14/2001 and Permit Expiration Date

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

Item 18.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the following limitation.



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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
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 19: Compliance Demonstration
Effective between the dates of 08/14/2001 and Permit Expiration Date

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

Item 19.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 19.2:

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 Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 20: Corrective action.
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.6(a)

Item 20.1:

Any facility found in violation of the provisions of this Part shall not cause, permit, or allow the operation of the affected stationary combustion installation unless:

- (1) it is equipped with approved emission control equipment;

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(2) it is rehabilitated or upgraded in an approved manner; or

(3) the fuel is changed to an acceptable type.

Condition 21: Corrective action.

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.6(b)

Item 21.1:

The commissioner may seal the affected stationary combustion installation that does not comply with the provisions in subdivision 6 NYCRR 227-1.6(a) within the time provided.

Condition 22:

Corrective action.

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.6(c)

Item 22.1:

No person shall cause, permit, or allow the operation of any affected stationary combustion installation sealed by the commissioner in accordance with this section.

Condition 23: Corrective action.

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.6(d)

Item 23.1:

No person except the commissioner or his representative shall remove, tamper with, or destroy any seal affixed to any affected stationary combustion installation.

Condition 24:

EPA Region 2 address.

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 24.1:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the

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NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC
Bureau of Enforcement and Compliance Assurance
625 Broadway
Albany, NY 12233-3254

**Condition 25: Date of construction notification - If a COM is not used.
Effective between the dates of 08/14/2001 and Permit Expiration Date**

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

Item 25.1:

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

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 26: Recordkeeping requirements.
Effective between the dates of 08/14/2001 and Permit Expiration Date**

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

Item 26.1:

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

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inoperative.

Condition 27: Facility files for subject sources.
Effective between the dates of 08/14/2001 and Permit Expiration Date

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

Item 27.1:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 28: Performance testing timeline.
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8(a), NSPS Subpart A

Item 28.1:

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

Condition 29: Required performance test information.
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8(c), NSPS Subpart A

Item 29.1:

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

Condition 30: Prior notice.
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8(d), NSPS Subpart A

Item 30.1:

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

Condition 31: Number of required tests.
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8(f), NSPS Subpart A

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Item 31.1 :

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

Condition 32: Availability of information.

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 32.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 33: Opacity standard compliance testing.

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A

Item 33.1:

The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60 (or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

CCircumvention.

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 34.1:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 35: Modifications.

Effective between the dates of 08/14/2001 and Permit Expiration Date



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Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 35.1:

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 36: Compliance Demonstration

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

Item 36.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 36.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

1) the rated capacity in tons of the existing storage bin being replaced, and

2) the rated capacity in tons of the replacement storage bin.

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 37: Compliance Demonstration

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

Item 37.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 37.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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1) the width of the existing belt being replaced, and

2) the width of the replacement conveyor belt.

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 38:

Compliance Demonstration

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

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:

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

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

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

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 39:

Compliance Demonstration

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676, NSPS Subpart OOO

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:



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

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

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 40: Compliance Demonstration
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676(f), NSPS Subpart OOO

Item 40.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY075-00-5 PM-10

Item 40.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall submit written reports of all performance tests of all affected equipment, including opacity observations using Method 9 and Method 22.

Reference Test Method: Methods 9 & 22

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**** Emission Unit Level ****

Condition 41: Reporting and Recordkeeping for Replacement of Equipment
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.676(a), NSPS Subpart OOO

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Item 41.1:

This Condition applies to Emission Unit: 1-BONNI

Item 41.2:

Each owner or operator seeking to comply with 40 CFR Part 60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

(i) The width of the existing belt being replaced and

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

(i) The rated capacity in megagrams or tons of the existing storage bin being replaced and

(ii) The rated capacity in megagrams or tons of replacement storage bins.

Condition 42: Test methods and procedures.

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.675, NSPS Subpart OOO

Item 42.1:

This Condition applies to Emission Unit: 1-BONNI

Process: P01

Item 42.2:

The owner or operator shall determine initial compliance using the test methods and procedures as



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required in section 40 CFR 60-000.675 and 40 CFR 60 Appendix A.

Condition 43: Compliance Demonstration
Effective between the dates of 08/14/2001 and Permit Expiration Date

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

Item 43.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BONNI

Process: P01

Emission Source: 000C3

Item 43.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under 40 CFR Part 60.11, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs 40 CFR Part 60.672(c), (d), and (e) of this section.

Manufacturer Name/Model Number: Kohlberg-Pioneer Conveyor

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: Method 9

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 44: Compliance Demonstration
Effective between the dates of 08/14/2001 and Permit Expiration Date

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

Item 44.1:

The Compliance Demonstration activity will be performed for:

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Emission Unit: 1-BONNI
Process: P01

Emission Source: 000H3

Item 44.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under 40 CFR Part 60.11, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs 40 CFR Part 60.672(c), (d), and (e) of this section.

Manufacturer Name/Model Number: Kohlberg-Pioneer Hopper Feeder

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: Method 9

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 45: Compliance Demonstration

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 45.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BONNI

Process: P01

Emission Source: 00CR1

Regulated Contaminant(s):

CAS No: PARTICULATES

Item 45.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 48: Performance test methods.
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8(b), NSPS Subpart A

Item 48.1:

This Condition applies to Emission Unit: 1-BONNI
Process: P01 Emission Source: 00SC1

Item 48.2:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

Condition 46: Reconstruction.
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 46.1:

This Condition applies to Emission Unit: 1-BONNI
Process: P01 Emission Source: 00SC1

Item 46.2:

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

- 1) a notice of intent to reconstruct 60 days prior to the action;



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

Condition 47: Compliance Demonstration
Effective between the dates of 08/14/2001 and Permit Expiration Date

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

Item 47.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BONNI
Process: P01

Emission Source: 00SC2

Item 47.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under 40 CFR Part 60.11, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs 40 CFR Part 60.672(c), (d), and (e) of this section.



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Manufacturer Name/Model Number: Kohlberg-Pioneer Double Deck Screen
Parameter Monitored: OPACITY
Upper Permit Limit: 10 percent
Reference Test Method: Method 9
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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STATE ONLY ENFORCEABLE CONDITIONS

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

Condition 49: General Provisions

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 49.1:

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 49.2:

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 49.3:

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 50: Permit Exclusion Provisions

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 50.1:

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 51: Emission Unit Definition
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 51.1:

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

Emission Unit: 1-BONNI

Emission Unit Description:

EMISSION UNIT 1 BONNI IS COMPOSED OF ONE CRUSHER, THREE CONVEYORS, TWO SCREENS, ONE GRIZZLY FEEDER AND ONE DIESEL ENGINE OF 102 HORSEPOWER.

Condition 52: Contaminant List
Effective between the dates of 08/14/2001 and Permit Expiration Date

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

Item 52.1:

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

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

Condition 53: Air pollution prohibited
Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

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Item 53.1:

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 54:

Process Definition By Emission Unit

Effective between the dates of 08/14/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 54.1:

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

Emission Unit: 1-BONNI

Process: P01

Source Classification Code: 3-05-025-11

Process Description:

SAND AND GRAVEL ARE FED INTO A PORTABLE PLANT FOR THE PURPOSE OF CRUSHING AND SCREENING MATERIAL INTO VARIOUS SIZES FOR USE IN AGGREGATE PRODUCTS USED IN ON SITE CONSTRUCTION. THE PLANT CONSISTS OF A SERIES OF SCREENS, HOPPERS, CONVEYORS AND A JAW CRUSHER.

Emission Source/Control: 000C1 - Process

Design Capacity: 24 inches

Emission Source/Control: 000C2 - Process

Design Capacity: 36 inches

Emission Source/Control: 000C3 - Process

Design Capacity: 30 inches

Emission S000H1 - Process

Design Capacity: 7.5 tons

Emission Source/Control: 000H2 - Process

Design Capacity: 7.5 tons

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Emission Source/Control: 000H3 - Process
Design Capacity: 13.5 tons

Emission Source/Control: 00CR1 - Process
Design Capacity: 305 tons per hour

Emission Source/Control: 00SC1 - Process
Design Capacity: 24 square feet

Emission Source/Control: 00SC2 - Process
Design Capacity: 32 square feet