



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 6-2232-00001/00003
Mod 0 Effective Date: 05/03/2003 Expiration Date: No expiration date.
Mod 1 Effective Date: 08/18/2008 Expiration Date: No expiration date.

Permit Issued To: BACH PLUMBING & HEATING COMPANY OF CLAYTON INC
11176 COUNTY RTE 9
CLAYTON, NY 13624-2271

Facility: BACH & COMPANY
PELO ROAD
CLAYTON, NY 13624

Contact: STANLEY F BACH, JR
BOX 247A
CLAYTON, NY 13624-0247

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: LAWRENCE R AMBEAU
DIVISION OF ENVIRONMENTAL PERMITS
STATE OFFICE BLDG, 317 WASHINGTON ST
WATERTOWN, NY 13601

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 6 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 6 HEADQUARTERS



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

Condition 2: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 2.1:

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 2.2:

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 2.3:

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

Item 1.1:

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

Item 1-1.1:

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 1-1.2:

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 1-1.3:

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

Condition 3: Applications for Permit Renewals and Modifications



Applicable State Requirement: 6NYCRR 621.13

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.

Item 3.3:

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

Condition 1-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 1-2.1:

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

Item 4.1:

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.



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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 6 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 6 Headquarters
Division of Environmental Permits
State Office Building, 317 Washington Street
Watertown, NY 13601-3787
(315) 785-2245

Condition 1-3: Submission of application for permit modification or renewal-REGION 6 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 1-3.1:

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

NYSDEC Regional Permit Administrator
Region 6 Headquarters
Division of Environmental Permits
State Office Building, 317 Washington Street
Watertown, NY 13601-3787
(315) 785-2245



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: BACH PLUMBING & HEATING COMPANY OF CLAYTON INC
11176 COUNTY RTE 9
CLAYTON, NY 13624-2271

Facility: BACH & COMPANY
PELO ROAD
CLAYTON, NY 13624

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

Mod 0 Permit Effective Date: 05/03/2003

Permit Expiration Date: No expiration date.

Mod 1 Permit Effective Date: 08/18/2008

Permit Expiration Date: No expiration date.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

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Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 6 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 6 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1-1 6NYCRR 201-7.2: Facility Permissible Emissions
- *1-2 6NYCRR 201-7.2: Capping Monitoring Condition
- *1-3 6NYCRR 201-7.2: Capping Monitoring Condition
- 3 6NYCRR 202-1.2: Notification
- 1-4 6NYCRR 212.6(a): Compliance Demonstration
- 1-5 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 1-6 6NYCRR 225-1.8(a): Compliance Demonstration
- 1-7 6NYCRR 227-1.6: Corrective Action
- 11 6NYCRR 227-1.7(b): Emissions data requirements.
- 12 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 13 40CFR 60.7(a), NSPS Subpart A: Date of construction notification.
- 1-8 40CFR 60.7(a)(6), NSPS Subpart A: Compliance Demonstration
- 14 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 15 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 16 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 17 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 18 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 19 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 1-9 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 20 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 21 40CFR 60.9, NSPS Subpart A: Availability of information.
- 22 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 23 40CFR 60.12, NSPS Subpart A: Circumvention.
- 24 40CFR 60.14, NSPS Subpart A: Modifications.
- 25 40CFR 60.15, NSPS Subpart A: Reconstruction
- 1-10 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 1-11 40CFR 60.672(c), NSPS Subpart OOO: Compliance Demonstration
- 1-12 40CFR 60.676(f), NSPS Subpart OOO: Compliance Demonstration

Emission Unit Level

EU=1-PELOR

- 27 40CFR 60.676(a), NSPS Subpart OOO: Reporting and Recordkeeping for



Replacement of Equipment

EU=1-PELOR,Proc=P01

28 40CFR 60.675, NSPS Subpart OOO: Test methods and procedures.

1-13 6NYCRR 227-1.3(a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

49 ECL 19-0301: Contaminant List

50 6NYCRR 201-1.4: Unavoidable noncompliance and violations

51 6NYCRR 201-5: Emission Unit Definition

52 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

53 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 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 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 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 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 1-1: Facility Permissible Emissions
Effective between the dates of 08/18/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7.2

Item 1-1.1:

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

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

CAS No: 0NY075-00-5 (From Mod 1) PTE: 160,000 pounds per year
Name: PM-10

CAS No: 0NY210-00-0 (From Mod 1) PTE: 160,000 pounds per year
Name: OXIDES OF NITROGEN

Condition 1-2: Capping Monitoring Condition
Effective between the dates of 08/18/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7.2

Item 1-2.1:

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 1-2.2:

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

Item 1-2.3:

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 1-2.4:

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 levels that would require compliance with an applicable requirement.

Item 1-2.5:

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 1-2.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 1-2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility shall maintain emissions of particulate matter less than 10 microns in diameter (PM-10) equal to or less than 79.9 TPY during any 12 month consecutive period.

Facility owner must maintain records that verify the facility's monthly PM-10 emissions. These records must be maintained at the facility for a period of five years.

Reports will be submitted annually, in a format acceptable to the commissioner's representative which documents that the facility's PM-10 emissions over any consecutive 12 month period were below 160,000 pounds. The annual reports must include information that documents the PM-10 emissions from each emission source at the facility, including exempt and trivial activities. The report must also include all emission factors and other data used in calculating the monthly PM-10 emissions.

Any noncompliance with the PM-10 emission limit in the condition must be reported by sending a copy of such record to the NYSDEC, Region 6, within 30 days of occurrence.

Parameter Monitored: PM-10

Upper Permit Limit: 160000 pounds per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 1-3: Capping Monitoring Condition

Effective between the dates of 08/18/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7.2



Item 1-3.1:

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
6NYCRR 227-2

Item 1-3.2:

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

Item 1-3.3:

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 1-3.4:

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 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 1-3.5:

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 1-3.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 1-3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility shall maintain oxides of nitrogen (NO_x) emissions equal to or less than 79.9 TPY during any 12 consecutive month period.

Facility owner must maintain records that verify the facility's monthly NO_x emissions. These records must be maintained at the facility for a period of five years.



Process: P01 Emission Source: 00C2A

Emission Unit: 1-PELOR
Process: P01 Emission Source: 00CR1

Emission Unit: 1-PELOR
Process: P01 Emission Source: 00CR2

Emission Unit: 1-PELOR
Process: P01 Emission Source: 00SC1

Emission Unit: 1-PELOR
Process: P01 Emission Source: 00SC2

Item 1-4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

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

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



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

(b) The commissioner may seal such stationary combustion installation so as to prevent any operation if the conditions of paragraph (a)(1)-(3) above are not met within the time provided by the order of final determination issued in the case of the violation.

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

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

Condition 11: Emissions data requirements.
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 227-1.7(b)

Item 11.1:

Sampling, compositing, and analysis of fuel samples shall be conducted in accordance with methods acceptable to the commissioner.

Condition 12: EPA Region 2 address.
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 12.1:

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 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 12233-3258

Condition 13: Date of construction notification.
Effective between the dates of 05/03/2003 and Permit Expiration Date



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

Item 13.1:

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, postmarked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, postmarked 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 40 CFR 60. The notice shall be postmarked 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, postmarked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, postmarked not less than 30 days prior to such date; and
- 7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, postmarked not less than 30 days prior to the performance test.

Condition 1-8: Compliance Demonstration
Effective between the dates of 08/18/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.7(a)(6), NSPS Subpart A

Item 1-8.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

A notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1). The notification shall also include, if appropriate, a request



for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 14: Recordkeeping requirements.
Effective between the dates of 05/03/2003 and Permit Expiration Date

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

Item 14.1:

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

Condition 15: Facility files for subject sources.
Effective between the dates of 05/03/2003 and Permit Expiration Date

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

Item 15.1:

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 16: Performance testing timeline.
Effective between the dates of 05/03/2003 and Permit Expiration Date

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

Item 16.1:

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 17: Performance test methods.
Effective between the dates of 05/03/2003 and Permit Expiration Date

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

Item 17.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.



Condition 18: Required performance test information.
Effective between the dates of 05/03/2003 and Permit Expiration Date

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

Item 18.1:

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 19: Prior notice.
Effective between the dates of 05/03/2003 and Permit Expiration Date

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

Item 19.1:

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

Condition 1-9: Performance testing facilities.
Effective between the dates of 08/18/2008 and Permit Expiration Date

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

Item 1-9.1:

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

Condition 20: Number of required tests.
Effective between the dates of 05/03/2003 and Permit Expiration Date

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

Item 20.1:

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 21: Availability of information.
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 21.1:



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 22: Opacity standard compliance testing.
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 22.1:

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.

Condition 23: Circumvention.
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 23.1:

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 24: Modifications.
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 24.1:

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 25: Reconstruction
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 25.1:

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



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

Condition 1-10: Compliance Demonstration

Effective between the dates of 08/18/2008 and Permit Expiration Date

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

Replaces Condition(s) 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 47, 48

Item 1-10.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-PELOR Process: P01	Emission Source: 000C2
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C3
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C4
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C5
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C6
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C7
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C8



Emission Unit: 1-PELOR Process: P01	Emission Source: 00C11
Emission Unit: 1-PELOR Process: P01	Emission Source: 00C12
Emission Unit: 1-PELOR Process: P01	Emission Source: 00C13
Emission Unit: 1-PELOR Process: P01	Emission Source: 00C14
Emission Unit: 1-PELOR Process: P01	Emission Source: 00SC4
Emission Unit: 1-PELOR Process: P01	Emission Source: 00SC5
Emission Unit: 1-PELOR Process: P01	Emission Source: 0CON2
Emission Unit: 1-PELOR	

Item 1-10.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility (as defined in 40 CFR 60.670(a)(1)) any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in 40 CFR 60.672(c), (d), and (e).

Parameter Monitored: OPACITY
Upper Permit Limit: 10 percent
Reference Test Method: Method 9
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 1-11: Compliance Demonstration

Effective between the dates of 08/18/2008 and Permit Expiration Date

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

Item 1-11.1:

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



Emission Unit: 1-PELOR
Process: P01

Emission Source: 00CR3

Emission Unit: 1-PELOR
Process: P01

Emission Source: 00CR4

Item 1-11.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under 40 CFR Part 60.11, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity.

Parameter Monitored: OPACITY

Upper Permit Limit: 15 percent

Reference Test Method: Method 9

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 1-12: Compliance Demonstration

Effective between the dates of 08/18/2008 and Permit Expiration Date

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

Replaces Condition(s) 26

Item 1-12.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-PELOR
Process: P01

Emission Source: 000C2

Emission Unit: 1-PELOR
Process: P01

Emission Source: 000C3

Emission Unit: 1-PELOR
Process: P01

Emission Source: 000C4

Emission Unit: 1-PELOR
Process: P01

Emission Source: 000C5



Emission Unit: 1-PELOR Process: P01	Emission Source: 000C6
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C7
Emission Unit: 1-PELOR Process: P01	Emission Source: 000C8
Emission Unit: 1-PELOR Process: P01	Emission Source: 00C11
Emission Unit: 1-PELOR Process: P01	Emission Source: 00C12
Emission Unit: 1-PELOR Process: P01	Emission Source: 00C13
Emission Unit: 1-PELOR Process: P01	Emission Source: 00C14
Emission Unit: 1-PELOR Process: P01	Emission Source: 00CR3
Emission Unit: 1-PELOR Process: P01	Emission Source: 00CR4
Emission Unit: 1-PELOR Process: P01	Emission Source: 00SC4
Emission Unit: 1-PELOR Process: P01	Emission Source: 00SC5
Emission Unit: 1-PELOR Process: P01	Emission Source: 0CON2
Regulated Contaminant(s): CAS No: 0NY075-00-5	PM-10

Item 1-12.2:

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 27: Reporting and Recordkeeping for Replacement of Equipment
Effective between the dates of 05/03/2003 and Permit Expiration Date**

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

Item 27.1:

This Condition applies to Emission Unit: 1-PELOR

Item 27.2:

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 28: Test methods and procedures.
Effective between the dates of 05/03/2003 and Permit Expiration Date**

Applicable Federal Requirement: 40CFR 60.675, NSPS Subpart OOO



Item 28.1:

This Condition applies to Emission Unit: 1-PELOR
Process: P01

Item 28.2:

The owner or operator shall determine initial compliance using the test methods and procedures as required in section 40 CFR 60-000.675 and 40 CFR 60 Appendix A.

Condition 1-13: Compliance Demonstration
Effective between the dates of 08/18/2008 and Permit Expiration Date

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

Replaces Condition(s) 6

Item 1-13.1:

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

Emission Unit: 1-PELOR	Emission Point: GEN01
Process: P02	Emission Source: 000G1

Emission Unit: 1-PELOR	Emission Point: GEN02
Process: P02	Emission Source: 000G2

Item 1-13.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated



with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

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

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).



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 law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.



Condition 49: Contaminant List
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 49.1:

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

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

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

Condition 50: Unavoidable noncompliance and violations
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 50.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which 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 51: Emission Unit Definition
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 51.1(From Mod 1):

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

Emission Unit: 1-PELOR

Emission Unit Description:

emission unit 1-Pelor is composed of 4 crushers,4 screeners, and multiple conveyors.Two diesel engines greater than 400 HP multiple exempt diesel engines are used to supply power to the crushing and screening plants.

Condition 52: Air pollution prohibited
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable State Requirement:6NYCRR 211.2

Item 52.1:

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 53: Process Definition By Emission Unit
Effective between the dates of 05/03/2003 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5



Item 53.1(From Mod 1):

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

Emission Unit: 1-PELOR

Process: P01

Source Classification Code: 3-05-040-31

Process Description:

Sand and gravel is processed through a series of 4 crushers, 4 screens and multiple conveyors where it is sized and sorted for sale as construction aggregate.

Emission Source/Control: 000C1 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 000C2 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 000C3 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 000C4 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 000C5 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 000C6 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 000C7 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 000C8 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 000C9 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 00C11 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 00C12 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 00C13 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 00C14 - Process

Design Capacity: 24 hours each day

Emission Source/Control: 00C2A - Process

Design Capacity: 24 hours each day



Emission Source/Control: 00CR1 - Process
Design Capacity: 24 hours each day

Emission Source/Control: 00CR2 - Process
Design Capacity: 24 hours each day

Emission Source/Control: 00CR3 - Process
Design Capacity: 350 tons per hour

Emission Source/Control: 00CR4 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: 00SC1 - Process
Design Capacity: 24 hours each day

Emission Source/Control: 00SC2 - Process
Design Capacity: 24 hours each day

Emission Source/Control: 00SC4 - Process
Design Capacity: 24 hours each day

Emission Source/Control: 00SC5 - Process
Design Capacity: 60 square feet

Emission Source/Control: 0CON2 - Process

Item 53.2(From Mod 1):

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

Emission Unit: 1-PELOR

Process: P02

Source Classification Code: 2-02-001-02

Process Description:

This process is composed of 2 diesel engines rated greater than 400 horsepower and multiple diesel engines rated less than 400 horsepower used to supply power to the crushing plants.

Emission Source/Control: 000G1 - Combustion
Design Capacity: 435 horsepower (mechanical)

Emission Source/Control: 000G2 - Combustion
Design Capacity: 530 horsepower (mechanical)

New York State Department of Environmental Conservation

Permit ID: 6-2232-00001/00003

Facility DEC ID: 6223200001

