

**New York State Department of Environmental Conservation  
Facility DEC ID: 8262200012**



**PERMIT  
Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 8-2622-00012/00012  
Effective Date: 12/16/1998                      Expiration Date: No expiration date

Permit Issued To: HANSON AGGREGATES GLSC INC  
6895 ELLICOTT ST  
PAVILION, NY 14525-9614

Contact: JEFFREY HOLLEY  
HANSON AGGREGATES NEW YORK, INC  
6895 ELLICOT STREET  
PAVILION, NY 14525  
(585) 584-3132

Facility: GENESEE LEROY STONE/ASPHALT PLANT 25,28  
1535 SCOTTSVILLE RD  
ROCHESTER, NY 14623

**Description:**

The facility manufactures asphalt paving mixtures. There is one Emission Unit (U-0100) which consists of two hot mix asphalt plants: (1) A 150 ton per hour drum mix plant (Process 028) where stone, aggregate, sand, and gravel, are fed into a rotating kiln dryer with a burner at the upper end. The heated material enters the mixer and combines with hot liquid asphalt to produce bituminous paving mixtures. A wet scrubber is provided on the drum mix plant for controlling emissions of particulate matter. (2) A 3.5 ton batch asphalt plant (Process 025) where aggregate material is fed into a gas-fired rotary dryer. The hot aggregate is then transferred by bucket elevator to vibrating screens where it is separated into different grades and then dropped into bins. The hot aggregate is then weighed and mixed with asphalt, dropped into a pugmill mixer for mixing, then conveyed to storage or into trucks for transportation. A fabric filter is provided on the batch asphalt plant for controlling emissions of particulate matter. Facility emissions of carbon monoxide are restricted (capped) to 180,400 pounds per year by limiting asphalt production from the batch asphalt plant to 400,000 tons per year (TPY) and from the drum mix asphalt plant to 800,000 TPY on a twelve month rolling basis. This cap limits the facility's carbon monoxide emissions to below the Title V applicable threshold of 100 TPY.

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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:            PETER A LENT  
   DIVISION OF ENVIRONMENTAL PERMITS  
   6274 EAST AVON LIMA RD  
   AVON, NY 14414-9519

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 8  
HEADQUARTERS



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

**Condition 1: Facility Inspection by the Department**  
**Applicable State Requirement: ECL 3-0301.2(g)**

**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 written or verbal notification is provided by the Department at least 24 hours prior to such inspection.

**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. 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 8 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 8 Headquarters  
Division of Environmental Permits  
6274 Avon-Lima Road  
Avon, NY 14414-9519  
(716) 226-2466



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**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT**

**IDENTIFICATION INFORMATION**

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Facility: GENESEE LEROY STONE/ASPHALT PLANT 25,28  
1535 SCOTTSVILLE RD  
ROCHESTER, NY 14623

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

Permit Effective Date: 12/16/1998

Permit Expiration Date: No expiration date.



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 6NYCRR 200.5: Sealing
- 2 6NYCRR 200.6: Acceptable ambient air quality
- 3 6NYCRR 200.7: Maintenance of equipment
- 4 6NYCRR 201-1.1(a): Contaminant List
- 5 6NYCRR 201-1.2: Unpermitted Emission Sources
- 6 6NYCRR 201-1.4: Unavoidable Noncompliance and Violations
- 7 6NYCRR 201-1.5: Emergency Defense
- 8 6NYCRR 201-1.7: Recycling and Salvage
- 9 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the Air
- 10 6NYCRR 201-1.10(a): Public Access to Recordkeeping
- 11 6NYCRR 201-3.2(a): Proof of Eligibility
- 12 6NYCRR 201-3.3(a): Proof of Eligibility
- 13 6NYCRR 201-6.2(c): Facility Permissible Emissions
- 14 6NYCRR 201-7.2: Synthetic minor facility capping provisions.
- 15 6NYCRR 202-1.1: Required emissions tests
- 17 6NYCRR 211.3: Visible emissions limited.
- 18 6NYCRR 211.4: VOC prohibited
- 19 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites

**Emission Unit Level**

- 20 6NYCRR 201-6.2(c): Process Permissible Emissions

**EU=U-01000,Proc=025**

- 21 6NYCRR 212.6(a): Compliance Demonstration
- 22 6NYCRR 212.9(d): Compliance Demonstration
- 23 6NYCRR 212.9(d): Compliance Demonstration

**EU=U-01000,Proc=025,ES=01103**

- 24 6NYCRR 212.9(d): Compliance Demonstration

**EU=U-01000,Proc=028**

- 25 40CFR 60.90, NSPS Subpart I: Compliance Demonstration
- 26 40CFR 60.90, NSPS Subpart I: Compliance Demonstration

**EU=U-01000,Proc=028,ES=02403**

- 27 40CFR 60.90, NSPS Subpart I: Compliance Demonstration

**EU=U-01000,EP=01011,Proc=025,ES=PLT25**

- \*28 6NYCRR 201-6.2(c): Compliance Demonstration

**EU=U-01000,EP=01024,Proc=028,ES=PLT28**

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\*29 6NYCRR 201-6.2(c): Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

30 6NYCRR 201-5: General Provisions: Facilities Subject to Subparts 201-5 and 201-6

31 6NYCRR 201-5: General Provisions: Facilities Subject to Subpart 201-5 but not 201-6

32 6NYCRR 201-5: Emission Unit Definition

16 6NYCRR 211.2: Air pollution prohibited

33 6NYCRR 217-3.2(a): Diesel truck opacity limitation

34 6NYCRR 217-3.2(b): Idling of diesel trucks limited

35 6NYCRR 225-1.2(a)(2): Compliance Demonstration

**Emission Unit Level**

36 6NYCRR 201-5: Emission Point Definition By Emission Unit

37 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



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**FEDERALLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**Condition 1: Sealing**  
**Effective between the dates of 12/16/1998 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 12/16/1998 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 3: Maintenance of equipment**  
**Effective between the dates of 12/16/1998 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.

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**Condition 4: Contaminant List**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-1.1(a)**

**Item 4.1:**

Emissions of the following contaminants are allowed under this permit.

CAS No: 000050-00-0

Name: FORMALDEHYDE

CAS No: 000071-43-2

Name: BENZENE

CAS No: 000075-07-0

Name: ACETALDEHYDE

CAS No: 000091-20-3

Name: NAPHTHALENE

CAS No: 000100-41-4

Name: ETHYLBENZENE

CAS No: 000108-88-3

Name: TOLUENE

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 001330-20-7

Name: XYLENE, M, O & P MIXT.

CAS No: 007439-92-1

Name: LEAD

CAS No: 007439-96-5

Name: MANGANESE

CAS No: 007439-97-6

Name: MERCURY

CAS No: 007440-02-0

Name: NICKEL METAL AND INSOLUBLE COMPOUNDS

CAS No: 007440-38-2

Name: ARSENIC

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CAS No: 007440-41-7

Name: BERYLLIUM

CAS No: 007440-43-9

Name: CADMIUM

CAS No: 007440-47-3

Name: CHROMIUM

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 007782-49-2

Name: SELENIUM

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 0NY100-00-0

Name: HAP

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0

Name: VOC

CAS No: 130498-29-2

Name: POLYCYCLIC AROMATIC HYDROCARBONS

**Item 4.2:**

The Facility is authorized to emit the regulated contaminants cited in Item 4.1 from the emission units specified in this permit.

**Condition 5: Unpermitted Emission Sources**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-1.2**

**Item 5.1:**

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:



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(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.

**Condition 6: Unavoidable Noncompliance and Violations**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-1.4**

**Item 6.1:**

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



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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.

**Condition 7: Emergency Defense**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-1.5**

**Item 7.1:**

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 8: Recycling and Salvage**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-1.7**

**Item 8.1:**

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 9: Prohibition of Reintroduction of Collected Contaminants to the Air**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

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**Applicable Federal Requirement: 6NYCRR 201-1.8**

**Item 9.1:**

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: Public Access to Recordkeeping**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

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

**Item 10.1:**

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 11: Proof of Eligibility**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

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

**Item 11.1:**

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 12: Proof of Eligibility**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

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

**Item 12.1:**

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



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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 13: Facility Permissible Emissions**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-6.2(c)**

**Item 13.1:**

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

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

CAS No: 000630-08-0

PTE: 180,400 pounds per year

Name: CARBON MONOXIDE

**Condition 14: Synthetic minor facility capping provisions.**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-7.2**

**Item 14.1:**

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

**Item 14.2:**

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 14.3:**

On an annual basis, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated 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 those threshold levels that would require the submission of an application for a Title V facility permit, or compliance with an applicable requirement.

**Item 14.4:**

The emission of pollutants in exceedance of the applicability thresholds for obtaining a Title V facility permit or other applicable requirements constitutes a violation of Part 201 and of the Act.

**Condition 15: Required emissions tests**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

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**Applicable Federal Requirement: 6NYCRR 202-1.1**

**Item 15.1:**

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 17: Visible emissions limited.**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 211.3**

**Item 17.1:**

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

**Condition 18: VOC prohibited**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 211.4**

**Item 18.1:**

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

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

**Condition 19: Open Fires Prohibited at Industrial and Commercial Sites**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 215**

**Item 19.1:**

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.

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

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**Condition 20: Process Permissible Emissions**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-6.2(c)**

**Item 20.1:**

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

Emission Unit: U-01000          Process: 025

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 71.4 pounds per hour

0.34 pounds per ton

136,000 pounds per year

Emission Unit: U-01000          Process: 028

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 8.4 pounds per hour

0.056 pounds per ton

44,800 pounds per year

**Condition 21: Compliance Demonstration**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 21.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-01000

Process: 025

**Item 21.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source,



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except only the emission of uncombined water. Visible emissions monitoring will be conducted at the request of the agency to demonstrate compliance with this limit.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: METHOD 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 22: Compliance Demonstration**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 212.9(d)**

**Item 22.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-01000

Process: 025

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

where:

E - is the permissible emission rate, and

P - is the process weight in lb/hr.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



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**Condition 23: Compliance Demonstration**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 212.9(d)**

**Item 23.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-01000

Process: 025

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 23.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following equation shall be used to determine permissible solid particulate emissions (based on process weight:

for sources up to 100,000 lb/hr -  $E = 0.024P^{(0.67)}$ ;

where:

E - is the permissible emission rate, and

P - is process weight in lb/hr.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 24: Compliance Demonstration**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 212.9(d)**

**Item 24.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-01000

Process: 025

Emission Source: 01103

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

**Item 24.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:  
THIS FACILITY SHALL CONTINUOUSLY MONITOR  
THE THE PRESSURE DROP ACROSS THIS FABRIC  
FILTER CONTROL DEVICE. MONITORING  
DEVICES SHALL BE OPERATIONAL AT ALL TIMES  
THAT THIS PROCESS IS IN OPERATION.

Manufacturer Name/Model Number: MAGNEHELIC PRESSURE GAUGE

Parameter Monitored: PRESSURE CHANGE

Lower Permit Limit: 2 inches of water

Upper Permit Limit: 8 inches of water

Monitoring Frequency: CONTINUOUS

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED  
RANGE AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 25: Compliance Demonstration**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.90, NSPS Subpart I**

**Item 25.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-01000

Process: 028

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 25.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:  
The opacity from an affected hot mix asphalt plant must  
not exceed 20% based on a 6 minute average.



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Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: method 9  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 26: Compliance Demonstration**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.90, NSPS Subpart I**

**Item 26.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-01000  
Process: 028

Regulated Contaminant(s):  
CAS No: 0NY075-00-0 PARTICULATES

**Item 26.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:  
The particulate matter emissions from an affected hot mix asphalt plant must not exceed 0.04 grains per DSCF.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: 0.04 grains per dscf  
Reference Test Method: method 5  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 27: Compliance Demonstration**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.90, NSPS Subpart I**

**Item 27.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-01000



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Process: 028

Emission Source: 02403

Regulated Contaminant(s):

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

**Item 27.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE FACILITY SHALL MONITOR OPERATIONAL PARAMETERS OF THIS CONTROL DEVICE FOR PROPER OPERATION, THROUGH INSTALLATION OF AN ALARM ON THE MOTOR DRIVE OF THE WATER PUMP ON THIS CONTROL DEVICE.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 28:**

**Compliance Demonstration**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-6.2(c)**

**Item 28.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-01000

Emission Point: 01011

Process: 025

Emission Source: PLT25

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 28.2:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The Batch Mix Asphalt Plant vented to this emission point will limit production of asphaltic concrete to less than 400,000 tons per year on a twelve month rolling basis.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALTIC CONCRETE

Upper Permit Limit: 400,000 tons per year



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Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/14/2000 for the period 12/16/1998 through 12/15/1999

**Condition 29: Compliance Demonstration**

**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-6.2(c)**

**Item 29.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-01000    Emission Point: 01024

Process: 028                      Emission Source: PLT28

Regulated Contaminant(s):

CAS No: 000630-08-0    CARBON MONOXIDE

**Item 29.2:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The Drum Mix Asphalt Plant vented to this emission point will limit production of asphaltic concrete to less than 800,000 tons per year on a twelve month rolling basis.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ASPHALTIC CONCRETE

Upper Permit Limit: 800,000 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/14/2000 for the period 12/16/1998 through 12/15/1999

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**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**Condition 30: General Provisions: Facilities Subject to Subparts 201-5 and 201-6**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 30.1:**

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 30.2:**

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 30.3:**

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

**Item 30.4:**

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 31: General Provisions: Facilities Subject to Subpart 201-5 but not 201-6**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 31.1:**

The emission of pollutants in exceedance of the applicability thresholds for obtaining a Title V facility permit or other applicable requirements constitutes a violation of Part 201 and of the Act.

**Condition 32: Emission Unit Definition**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

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**Applicable State Requirement: 6NYCRR 201-5**

**Item 32.1:**

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

Emission Unit: U-01000

Emission Unit Description:

THIS EMISSION UNIT CONSISTS OF TWO HOT MIX ASPHALT PLANTS: A DRUM MIX PLANT WHERE STONE, AGGREGATE, SAND, GRAVEL ARE FED INTO A ROTATING KILN DRYER WITH A BURNER AT THE UPPER END. THE HEATED MATERIAL ENTERS THE MIXER AND COMBINES WITH HOT LIQUID ASPHALT TO PRODUCE BITUMINOUS PAVING MIXTURES. A BATCH ASPHALT PLANT WHERE AGGREGATE MATERIAL IS FED INTO A GAS-FIRED ROTARY DRYER. THE HOT AGGREGATE IS THEN TRANSFERRED BY BUCKET ELEVATOR TO VIBRATING SCREENS WHERE IT IS SEPARATED INTO DIFFERENT GRADES AND THEN DROPPED INTO BINS. THE HOT AGGREGATE IS THEN WEIGHED AND MIXED WITH LIQUID ASPHALT, DROPPED INTO A PUGMILL MIXER FOR MIXING, THEN CONVEYED TO STORAGE OR INTO TRUCKS FOR TRANSPORTATION.

**Condition 16: Air pollution prohibited**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 16.1:**

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

**Condition 33: Diesel truck opacity limitation**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 217-3.2(a)**

**Item 33.1:**

No person who owns, operates or leases a vehicle propelled by a diesel engine or who owns, leases or occupies land and has actual or apparent dominion or control over the operation of a vehicle propelled by a diesel engine which is present on said land, shall operate said vehicle or allow or permit it to be operated, in such a manner



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that exhaust emissions of a shade of blue, black, or gray equal to or greater than No. 1 on the Ringelmann chart (20 percent opacity) or equivalent standard acceptable to the commissioner are produced for a continuous period of more than five seconds when the vehicle is in motion.

**Condition 34: Idling of diesel trucks limited**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 217-3.2(b)**

**Item 34.1:**

No person who owns, operates or leases a bus or truck, the motive power for which is provided by a diesel engine or who owns, leases or occupies land and has the actual or apparent dominion or control over the operation of a bus or truck present on such land, the motive power for which said bus or truck is provided by a diesel engine, shall allow or permit the diesel engine of such bus or truck to idle for more than five consecutive minutes when the bus or truck is not in motion, except as otherwise permitted by 6 NYCRR Subpart 217-3.3.

**Condition 35: Compliance Demonstration**  
**Effective between the dates of 12/16/1998 and Permit Expiration Date**

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

**Item 35.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 35.2:**

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.

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 reduction 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

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

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**Condition 36: Emission Point Definition By Emission Unit  
Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 36.1:**

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

Emission Unit: U-01000

Emission Point: 01011

Height (ft.): 18

Diameter (in.): 48

Emission Point: 01024

Height (ft.): 25

Length (in.): 21

Width (in.): 24

**Condition 37: Process Definition By Emission Unit  
Effective between the dates of 12/16/1998 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 37.1:**

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

Emission Unit: U-01000

Process: 025

Source Classification Code: 3-05-002-01

Process Description:

3.5 TON BATCH MIX ASPHALT PLANT WHERE  
AGGREGATE MATERIAL IS FED INTO A GAS-FIRED  
ROTARY DRYER. THE HOT AGGREGATE IS THEN  
TRANSFERRED BY BUCKET ELEVATOR TO VIBRATING  
SCREENS WHERE IT IS SEPARATED INTO  
DIFFERENT GRADES AND THEN DROPPED INTO  
BINS.

Emission Source/Control: 01101 - Control

Control Type: SINGLE CYCLONE

Emission Source/Control: 01102 - Control

Control Type: CENTRIFUGAL

Emission Source/Control: 01103 - Control

Control Type: FABRIC FILTER

Emission Source/Control: PLT25 - Process

Design Capacity: 210 tons per hour

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**Item 37.2:**

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

Emission Unit: U-01000

Process: 028

Source Classification Code: 3-05-002-05

Process Description:

THE 150 TPH DRUM MIX ASPHALT PLANT WHERE STONE, AGGREGATE, SAND AND GRAVEL ARE FED INTO A ROTATING KILN DRYER WITH A BURNER AT THE UPPER END. THE HEATED MATERIAL ENTERS THE MIXER AND COMBINES WITH HOT LIQUID ASPHALT TO PRODUCE BITUMINOUS PAVING MIXTURE. AGGREGATE IS THEN WEIGHED AND MIXED WITH LIQUID ASPHALT, DROPPED INTO A PUGMILL MIXER FOR MIXING, THEN CONVEYED TO STORAGE OR INTO TRUCKS FOR TRANSPORTATION.

Emission Source/Control: 02401 - Control

Control Type: BAFFLE

Emission Source/Control: 02402 - Control

Control Type: WET SCRUBBER

Emission Source/Control: 02403 - Control

Control Type: CENTRIFUGAL

Emission Source/Control: PLT28 - Process

Design Capacity: 150 tons per hour