**New York State Department of Environmental Conservation**
**Facility DEC ID: 9065600033**

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility
Permit ID: 9-0656-00033/00002
Mod 0 Effective Date: 08/28/2000 Expiration Date: No expiration date.

Mod 2 Effective Date: 06/19/2002 Expiration Date: No expiration date.

Permit Issued To: JAMESTOWN MACADAM INC
PO BOX 158
JAMESTOWN, NY 14702-0158

Contact: THOMAS OLSON
JAMESTOWN MACADAM INC
WALDEN AVENUE
JAMESTOWN, NY 14701
(716) 664-5108

Facility: JAMESTOWN MACADAM PLANT #4 - POLAND SITE
ROUTE 62
KENNEDY, NY 14747

Contact: THOMAS OLSON
JAMESTOWN MACADAM INC
WALDEN AVENUE
JAMESTOWN, NY 14701
(716) 664-5108

Description:
This plant is located in the Town of Poland, Chautauqua County. It is a 500 tons per hour (TPY) Astec asphalt parallel flow drum dryer-mixer with coater, knock out box and a Astec Model BH 75 baghouse.

MOD 2 Description:

This new permit (MOD 2) is a modification of the existing permit (MOD 0). This new permit allows the facility to burn Waste Fuel A (waste oil), and natural gas in addition to the presently premitted fuel oil. The changes shown in the new permit are a result of the new application and are referred to as (MOD 2). Conditions from 6 NYCRR Part 225-2 have been added to ensure the Waste Fuel A conforms to the contaminate limits allowed in the fuel. The appropriate directives contained in Air Guide 17, Trade and Use of Waste Fuels for Energy Recovery Purposes, are included in this modification. No conditions have been added regarding using natural gas.

MOD 2 reduces the 12 month asphalt production limit from 650,000 tons per year to 375,000 tons per

year. This reduction in tonnage reflects new higher AP-42 emission factors. This production limit will keep the firm's actual emissions of NOx, PM10, CO, SO2 and VOC below 25 tons per year (TPY) for fee billing purposes, and will also keep it below the Title V applicability thresholds. All other facility data remains as currently permitted.

MOD 1 Description:

The Permitting Computer system identified an application as MOD 1. This application was a data entry error and was withdrawn in the system, but the MOD 1 is a place holder for action, even though no action was taken in this case. No MOD 1 permit was issued.

MOD 0 Description:

Before MOD 0 was issued the existing Air 100 permits had federally enforceable limits on production at 720,000 tons of asphalt annually.

MOD 0 permit proposed new capping limits on production at 650,000 tons of asphalt annually, thus limiting all criteria pollutants emissions below 25 tons annually for fee billing purposes. If the plant produced 650,000 tons of asphalt, the largest pollutant generated would be oxides of nitrogen (NOx) at 24.4 tons, using AP-42 emission factors.

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: RICHARD P SWEENEY
DIVISION OF ENVIRONMENTAL PERMITS
270 MICHIGAN AVE
BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / _____

**New York State Department of Environmental Conservation**
**Facility DEC ID: 9065600033**

## 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.

**New York State Department of Environmental Conservation**
**Facility DEC ID: 9065600033**

**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**
**General Provisions**
Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
Applications for Permit Renewals and Modifications
Applications for Permit Renewals and Modifications
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Permit Modifications, Suspensions, and Revocations by the Department
**Facility Level**
Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS

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

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

**Item 1.1:**
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**
The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

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

**Item 2.1:**
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 2-1: Applications for Permit Renewals and Modifications**
**Applicable State Requirement: 6NYCRR 621.13**

**Item 2-1.1:**
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 2-1.2:**
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 2-1.3:**
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(a)**

**Expired by Mod No: 2**

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

**Item 2-2.1:**
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**

**Expired by Mod No: 2**

**Item 4.1:**
The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
c) new material information is discovered; or
d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

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

**Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 9 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 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165

**New York State Department of Environmental Conservation**
**Permit ID: 9-0656-00033/00002 Facility DEC ID: 9065600033**

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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: JAMESTOWN MACADAM INC
PO BOX 158
JAMESTOWN, NY 14702-0158

Facility: JAMESTOWN MACADAM PLANT #4 - POLAND SITE
ROUTE 62
KENNEDY, NY 14747

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

Mod 0 Permit Effective Date: 08/28/2000

**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**
**Facility Level**
1 6NYCRR 200.1: Definitions Applicable To This Permit
15 6NYCRR 201-7.2: Compliance Demonstration
2-1 6NYCRR 225-2.5(a): Permitting requirements.
2-2 6NYCRR 225-2.7(e): Sampling and analysis requirements.
**Emission Unit Level**
2-3 6NYCRR 201-6.1: Emission Unit Permissible Emissions

**EU=P-00001**
*2-4 6NYCRR 201-6.1: Compliance Demonstration
2-5 6NYCRR 225-2.3(b): Compliance Demonstration
2-6 6NYCRR 225-2.3(b)(3): Compliance Demonstration

**EU=P-00001,EP=00001**

19 40CFR 60.92, NSPS Subpart I: Compliance Demonstration
20 40CFR 60.92, NSPS Subpart I: Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**
**Facility Level**
2-7 ECL 19-0301: Contaminant List
22 6NYCRR 201-5: Emission Unit Definition
24 6NYCRR 211.2: Air pollution prohibited
**Emission Unit Level**
25 6NYCRR 201-5: Emission Point Definition By Emission Unit
26 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping. Permit Expiration Date: No expiration date.

Mod 2 Permit Effective Date: 06/19/2002 Permit Expiration Date: No expiration date.

**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:** **Definitions Applicable To This Permit**
**Effective between the dates of 08/28/2000 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 200.1**

**Item 1.1:**
The definitions found in Parts 200 and 201 apply throughout this permit. Specific definitions used in this permit and their meanings include:

1. "Act" refers to the Federal Clean Air Act, 42 U.S.C. Section 7401, et seq., as amended by Public Law 101-549, November 15, 1990.

2. "Administrator" refers to the Administrator of the United States Environmental Protection Agency or designee.

3. "Department" refers to the New York State Department of Environmental Conservation.

**Condition 15:** **Compliance Demonstration**
**Effective between the dates of 08/28/2000 and Permit Expiration Date**

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

**Item 15.1:**
The Compliance Demonstration activity will be performed for the Facility.

**Item 15.2:**
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Emission Capping Using Synthetic Minor Permits.

(a) Where an emission cap is desired, the source owner or operator must make a request in writing and submit an application for a permit or permit modification for the affected emission units or the facility as a whole. The source owner and/or operator may also accept conditions of a permit modification proposed by the Department in accordance with Part 621 of this Title to establish an emission cap. The application must contain a complete description of the proposed emission cap and include all background information on the emission units and operations involved (including, but not limited to, emissions of individual regulated pollutants, duration and frequency of emissions, existing or proposed control equipment, other emission points releasing the same contaminants at the facility, etc.), along with calculations assessing the applicability status of the facility and demonstrating that the cap will obviate the requirement to obtain a Title V facility permit, or comply with an applicable requirement. The owner or operator must also include a proposed monitoring, record keeping, and reporting strategy that will be used to demonstrate that the emissions limitations under the proposed cap are verifiable, and enforceable, along with the proposed permit terms and conditions. Capping methods may include: a reduction in the hours of operation; reformulations relating to the cap, the installation of control equipment; and/or making other process changes.

(b) Permits and permit modifications involving emission caps must be subjected to the public notice and comment procedures required for permit applications under Part 621 of this Title which must include at a minimum publication of a notice of complete application in the Environmental Notice Bulletin and a 30 day public comment period. Copies of permits including capping provisions shall be forwarded to the Administrator, unless the Administrator approves an

alternate procedure for reviewing such permits or exempts certain classes of permits from such review.

(c) When approved by the Department, federally enforceable terms and conditions will be incorporated into the permit limiting emissions below those requiring a Title V facility permit or compliance with a specific applicable requirement.

(d) The owner or operator of any facility subject to this Section 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.

(e) 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.

(f) 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 this Part and of the Act.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-1: Permitting requirements.**
**Effective between the dates of 06/19/2002 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 225-2.5(a)**

**Item 2-1.1:**
Except as provided in subdivision (b) of this section, no person may initiate construction of a new emission source, or modification, or operate an air contamination source in which waste fuel is to be

burned until all applicable provisions of this Subpart have been met and the necessary permits to construct and/or certificates to operate may have been issued in accordance with Part 201 of this Title.

**Condition 2-2: Sampling and analysis requirements.**
**Effective between the dates of 06/19/2002 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 225-2.7(e)**

**Item 2-2.1:**
Sampling and analysis of waste fuel samples must be carried out in accordance with methods acceptable to the commissioner.

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

**Condition 2-3: Emission Unit Permissible Emissions**
**Effective between the dates of 06/19/2002 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-6.1**

**Item 2-3.1:**
The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: P-00001

CAS No: 000630080 (From Mod 2)
Name: CARBON MONOXIDE
PTE(s): 48,750 pounds per year
65 pounds per hour

**Condition 2-4: Compliance Demonstration**
**Effective between the dates of 06/19/2002 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-6.1**

**Item 2-4.1:**
The Compliance Demonstration activity will be performed for:

Emission Unit: P-00001

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

**Item 2-4.2:**
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

1.) The facility shall limit production of its hot mix asphalt plant 375,000 tons of hot mix asphalt per year to avoid Title V permitting. Limiting production to this level (375,000 tons per year) will keep NOx, PM10, CO, SO2 and VOC emissions below 25 tons per year (TPY) and in turn below Title V applicability thresholds. The 375000 ton per year limit is based on emissions of carbon monoxide. The emission at this production rate would be 48750 pounds per year. All other contaminants are below this figure for this production rate.

2.) The facility shall keep daily production records which will then be used to create a monthly production record. A rolling 12 month total of production tonnage will be created and updated monthly. The owner or operator 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 this facility, during normal operating hours, for the purpose of determining compliance with this cap.

3.) On an calendar 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. Under this permit the first report is for the 2002 calendar year and is due 30 days after the year end or January 31, 2004. Then anually thereafter.

4.) An exceedance of the 375,000 ton limit within any 12 month period shall be reported within six working days. The latest 12 month total shall be determined no later than the 10th day of the following month.

5.) The emission of pollutants in exceedance of the

emission cap described above other applicable requirements constitutes a violation of this Part 201 and of the Act.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: ASPHALTIC CONCRETE
Upper Permit Limit: 375000 tons per year
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2003.
Subsequent reports are due every 12 calendar month(s).

**Condition 2-5: Compliance Demonstration**
**Effective between the dates of 06/19/2002 and Permit Expiration Date**

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

**Item 2-5.1:**
The Compliance Demonstration activity will be performed for:

Emission Unit: P-00001

**Item 2-5.2:**
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

1.) The facility is allowed to burn Waste Fuel A. Waste fuel A is any waste oil, fuel oil or mixture of these to be burned which contains between 25 and 250 parts per million (by weight) lead, which meets the limitations of Table 2-1 below and does not contain any chemical waste.

2.) The facility shall insure that the constituents of Waste Fuel A being received and burned meet the limits of Table 2-1. In order to accomplish this, the facility shall obtain certification from the seller that the Waste Fuel A delivered has been tested for each of the parameters in Table 2-1, as required by Part 225-2, and that meets the associated limits. This certification shall be obtained for each delivery and shall contain the representative chemical analysis of the batch of Waste Fuel A. Each delivery certification shall be kept on site and be made available to the Department's representative

during normal business hours.

TABLE 2-1
WASTE FUEL A
CONSTITUENTS-PROPERTY

Polychlorinated Biphenyls (PCB)- Less than 50 ppm*
Total Halogens-1,000 ppm* maximum
Sulfur- See Subpart 225-1 for fuel sulfur limitations
Lead- 250 ppm* maximum
Gross Heat Content-125,000 (Btu/gal) minimum

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

Monitoring Frequency: PER DELIVERY
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-6: Compliance Demonstration**
**Effective between the dates of 06/19/2002 and Permit Expiration Date**

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

**Item 2-6.1:**
The Compliance Demonstration activity will be performed for:

Emission Unit: P-00001

**Item 2-6.2:**
Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
1.) The facility owner shall conduct a combustion efficiency test. The combustion efficiency shall be demonstrated to be at least 99%. Carbon monoxide and carbon dioxide in the final exhaust shall be measured and the following formula shall be used to calculate combustion efficiency

C.E. = (CO2 x100) / (CO2 + CO)

An instrument capable of resolving 500 ppm carbon monoxide must be employed. An Orsat will not meet this requirement.

2.) The combustion efficiency test shall be conducted and results submitted by the Department at least 30 days prior to the planned initial burn. The burning of waste oil shall not commence until the facility has received concurrence from the Department that the 99% combustion efficiency has been demonstrated.

Parameter Monitored: COMBUSTION EFFICIENCY
Lower Permit Limit: 99 percent
Reference Test Method: AS PER AIR GUIDE 17
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 19: Compliance Demonstration**
**Effective between the dates of 08/28/2000 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.92, NSPS Subpart I**

**Item 19.1:**
The Compliance Demonstration activity will be performed for:

Emission Unit: P-00001 Emission Point: 00001

**Item 19.2:**
Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
Standard for opacity from a hot mix asphalt plant.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: method 9
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 20: Compliance Demonstration**
**Effective between the dates of 08/28/2000 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.92, NSPS Subpart I**

**Item 20.1:**
The Compliance Demonstration activity will be performed for:

Emission Unit: P-00001 Emission Point: 00001

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

**Item 20.2:**
Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Particulate emissions limitations for a hot mix asphalt plant.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.04 grains per dscf
Reference Test Method: method 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**STATE ONLY ENFORCEABLE CONDITIONS**
****** Facility Level ******

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**
**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A:** **Public Access to Recordkeeping for Facilities With State Facility Permits - 6NYCRR Part 201-1.10(a)**
Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1) , and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

Item B: **General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**
Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

law.

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 2-7: Contaminant List**
**Effective between the dates of 06/19/2002 and Permit Expiration Date**

**Applicable State Requirement: ECL 19-0301**

**Item 2-7.1:**
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000630-08-0
Name: CARBON MONOXIDE

CAS No: 0NY075-00-0
Name: PARTICULATES

**Condition 22: Emission Unit Definition**
**Effective between the dates of 08/28/2000 and Permit Expiration Date**

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

**Item 22.1(From Mod 2):**
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: P-00001
Emission Unit Description:
EMISSION UNIT P00001 CONSISTS OF A 500 TPH DRUM MIX ASPHALT PLANT WITH ASSOCIATED EMISSION CONTROL EQUIPMENT. THE PLANT WILL RUN ON EITHER NUMBER 2 FUEL OIL OR WASTE FUEL A. PLANT MAY BE FITTED TO RUN ON NATURAL GAS IN THE FUTURE.

**Condition 24: Air pollution prohibited**
**Effective between the dates of 08/28/2000 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 24.1:**
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 25: Emission Point Definition By Emission Unit**
**Effective between the dates of 08/28/2000 and Permit Expiration Date**

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

**Item 25.1(From Mod 0):**
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: P-00001

Emission Point: 00001
Height (ft.): 30 Diameter (in.): 46

**Condition 26: Process Definition By Emission Unit**
**Effective between the dates of 08/28/2000 and Permit Expiration Date**

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

**Item 26.1(From Mod 2):**
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: P-00001
Process: P01 Source Classification Code: 3-05-002-05
Process Description:
PROCESS IS THE MANUFACTURE OF ASPHALTIC CONCRETE USING NUMBER 2 FUEL OIL. AGGREGATE IS DRIED IN A ROTARY DRIER. THE DRIED AGGREGATE IS MIXED WITH ASPHALTIC CEMENT IN A SINGLE SHAFT PUGMILL COATER. THE HOT MIX ASPHALT IS DISCHARGED ONTO A DRAG CONVEYOR AND IS TRANSFERRED TO A SILO FOR STORAGE AND SALE. GASES AND PARTICULATES EMIITTED FROM THE PROCESSING OF THE AGGREGATE AND ASPHALT ARE COLLECTED AND TRANSPORTED BY A VENTILATION SYSTEM AND SENT THROUGH A BAGHOUSE WHERE PARTICULATE MATTER IS CAPTURED. GASES NOT CAPTURED BY THE CONTROL SYSTEM ARE VENTED THROUGH THE BAGHOUSE

STACK.

Emission Source/Control: 00BH1 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 000D1 - Process
Design Capacity: 500 tons per hour

**Item 26.2(From Mod 2):**
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: P-00001
Process: P02 Source Classification Code: 3-05-002-05
Process Description:
PROCESS IS THE MANUFACTURE OF ASPHALTIC CONCRETE USING WASTE FUEL A. AGGREGATE IS DRIED IN A ROTARY DRIER. THE DRIED AGGREGATE IS MIXED WITH ASPHALTIC CEMENT IN A SINGLE SHAFT PUGMILL COATER. THE HOT MIX ASPHALT IS DISCHARGED ONTO A DRAG CONVEYOR AND IS T RANSFERRED TO A SILO FOR STORAGE AND SALE. GASES AND PARTICULATES EMIITTED FROM THE PROCESSING OF THE AGGREGATE AND ASPHALT ARE COLLECTED AND TRANSPORTED BY A VENTILATION SYSTEM AND SENT THROUGH A BAGHOUSE WHERE PARTICULATE MATTER IS CAPTURED. GASES NOT C APTURED BY THE CONTROL SYSTEM ARE VENTED THROUGH THE BAGHOUSE STACK.

Emission Source/Control: 00BH1 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 000D1 - Process
Design Capacity: 500 tons per hour

**Item 26.3(From Mod 2):**
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: P-00001
Process: P03
Process Description:
PROCESS IS THE MANUFACTURE OF ASPHALTIC CONCRETE USING NATURAL GAS. AGGREGATE IS DRIED IN A ROTARY DRIER. THE DRIED AGGREGATE IS MIXED WITH ASPHALTIC CEMENT IN A SINGLE SHAFT PUGMILL COATER. THE HOT MIX

ASPHALT IS DISCHARGED ONTO A DRAG CONVEYOR AND IS TR ANSFERRED TO A SILO FOR STORAGE AND SALE. GASES AND PARTICULATES EMIITTED FROM THE PROCESSING OF THE AGGREGATE AND ASPHALT ARE COLLECTED AND TRANSPORTED BY A VENTILATION SYSTEM AND SENT THROUGH A BAGHOUSE WHERE PARTICULATE MATTER IS CAPTURED. GASES NOT CA PTURED BY THE CONTROL SYSTEM ARE VENTED THROUGH THE BAGHOUSE STACK.

Emission Source/Control: 00BH1 - Control
Control Type: FABRIC FILTER

Emission Source/Control: 000D1 - Process
Design Capacity: 500 tons per hour

**Item 26.4(From Mod 2):**
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: P-00001
Process: P04 Source Classification Code: 3-05-002-12
Process Description: ASPHALT CEMENT STORAGE TANK

Emission Source/Control: 000T1 - Process