



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 9-1430-00014/00024
Effective Date: 12/08/2014 Expiration Date: 12/07/2024

Permit Issued To: NEW ENTERPRISE STONE & LIME CO INC
PO BOX 77
NEW ENTERPRISE, PA 16664-0077

Contact: JAMIE HYPNAROWSKI
500 COMO PARK BLVD
CHEEKTOWAGA, NY 14227
(716) 826-7310

Facility: COMO QUARRY
500 COMO PARK BLVD
CHEEKTOWAGA, NY 14227

Description:

The Buffalo Crushed Stone and Ready Mix Concrete Como Park Boulevard (Como Quarry) quarry includes a crushing and screening operation which produces construction aggregates and aggregate for the manufacture of hot mix asphalt. The facility also has two asphalt batch plants and one asphalt drum plant.

Due to the fact that the Como Quarry will be operated only sparingly for approximately the next two years while the crusher and asphalt plants are moved to new locations on-site, the facility emissions will be less than 49 tons per year of Carbon Monoxide, Oxides of Nitrogen, Sulfur Dioxide, and Particulates (PM-10). The facility emissions of Volatile Organic Compounds will be less than 24 tons per year. Within 60 days of the Como Quarry becoming fully operational, a new state facility application shall be submitted to the Department describing the changes that were made.

The operations in the quarry consist of stone crushing, screening, blasting, and mining of aggregates such as limestone. Materials are loaded onto trucks as it is transported to and from crushing and screening equipment. The sized aggregate material is then delivered to one of the plants. All of these operations generate particulates in the form of fugitive dust. The Como Quarry is required to implement good management practices to reduce fugitive dust. This is primarily accomplished by watering haul roads and using dust suppressant sprays on crushing and screening equipment.

On site, 2-ASTEC is the facility's drum plant. This emission unit consists of a drum mix hot mix asphalt plant manufactured by Astec (model 8'00c). The plant is comprised of a mixing drum (source id 2drum) equipped with a dryer burner and a hot oil heater (source id 2heat). Particulate emissions are controlled by a fabric filter, and released through emission point 00002.

The Como Quarry also has two batch mix hot mix asphalt plants, 3-BATCH and 4-STANS. 3-BATCH is a Hetherington & Berner batch mix hot mix asphalt plant capable of producing 125

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tons of asphalt per hour. The plant consists of a hot oil heater (source id hheat), a rotary dryer (source id hdrum), and a mixer (source id hbmix). Emissions are controlled by a baghouse. 4-STANS is a Stansteel (model rm-120) batch mix hot mix asphalt plant capable of producing 320 tons of asphalt per hour. The plant is comprised of a mixer (source id stbat), a hot oil heater (source id stoil), and a rotary dryer (source id stdry). Emissions are controlled by a baghouse.

4-STANS is subject to 40 CFR 60 Subpart I-Standards of Performance for Hot Mix Asphalt Facilities. Subpart I restricts particulate matter (TSP) emitted to be less than 0.04 gr/dscf and visible emissions (VE) to be less than 20 %. As per a test performed on August 1, 1995, the TSP emission rate was found to be 0.004 gr/dscf and the VE was 0 %.

The facility performed a Combustion Efficiency (CE) test per 6NYCRR Part 225-2.3(b)(1)(ii) on 4-STANS on August 24, 2004 and achieved 99.5 % CE. Therefore, emission unit 4-STANS is certified to burn waste oil as an alternate fuel in the batch mix hot mix asphalt plant dryer. The certification requires that waste fuel constituents must contain less than 0.75 percent sulfur by weight, 250 ppm of lead, 1000 ppm of halogen, and 50 ppm Polychlorinated Biphenyls (PCB). In addition, the certification requires that the waste fuel fired have a minimum heat content of 125,000 btu/gal and does not contain any chemical waste.

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: DAVID S DENK
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2915

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

- Submission of application 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 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:

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



Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

Condition 5: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (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 14203-2915
(716) 851-7165

New York State Department of Environmental Conservation

Permit ID: 9-1430-00014/00024

Facility DEC ID: 9143000014



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: NEW ENTERPRISE STONE & LIME CO INC
PO BOX 77
NEW ENTERPRISE, PA 16664-0077

Facility: COMO QUARRY
500 COMO PARK BLVD
CHEEKTOWAGA, NY 14227

Authorized Activity By Standard Industrial Classification Code:
2951 - PAVING MIXTURES AND BLOCKS
1499 - NONMETALLIC MINERALS, NEC

Permit Effective Date: 12/08/2014

Permit Expiration Date: 12/07/2024



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 211.1: Air pollution prohibited
- 2 6 NYCRR 212.6 (a): Compliance Demonstration
- 3 6 NYCRR 212.12 (a) (1): Compliance Demonstration
- 4 6 NYCRR 212.12 (a) (2): Compliance Demonstration
- 5 6 NYCRR 212.12 (b): Compliance Demonstration
- 6 6 NYCRR 225-1.2 (h): Compliance Demonstration
- 7 6 NYCRR 225-1.2 (i): Compliance Demonstration
- 8 6 NYCRR 225-2.6 (d): Purchase of waste fuel prohibitions.

Emission Unit Level

EU=4-STANS

- 9 6 NYCRR 212.9: Compliance Demonstration
- 10 6 NYCRR 225-2.3 (b) (3): Compliance Demonstration
- 11 6 NYCRR 225-2.4 (b): Compliance Demonstration
- 12 6 NYCRR 225-2.4 (b): Compliance Demonstration
- 13 6 NYCRR 225-2.4 (b): Compliance Demonstration
- 14 6 NYCRR 225-2.4 (b): Compliance Demonstration
- 15 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
- 16 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 17 ECL 19-0301: Contaminant List
- 18 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 19 6 NYCRR Subpart 201-5: Emission Unit Definition
- 20 6 NYCRR Subpart 201-5: Compliance Demonstration
- 21 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 22 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 23 6 NYCRR 211.2: Visible Emissions Limited

Emission Unit Level

- 24 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 25 6 NYCRR Subpart 201-5: Process Definition By Emission Unit



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 - 6 NYCRR 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 - 6 NYCRR 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 - 6 NYCRR 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 - 6 NYCRR 201-1.2

If an existing emission source was subject to the permitting requirements of 6 NYCRR 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 - 6 NYCRR 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 - 6 NYCRR 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 - 6 NYCRR 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 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 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 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 6 NYCRR Subpart 202-1.

Item K: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item L: 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 M: 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: Air pollution prohibited



Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:6 NYCRR 211.1

Item 1.1:

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 2: Compliance Demonstration

Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:6 NYCRR 212.6 (a)

Item 2.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2.2:

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, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions whenever a process is in operation. If any visible emissions are identified, corrective action is required. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3: Compliance Demonstration

Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:6 NYCRR 212.12 (a) (1)

Item 3.1:

The Compliance Demonstration activity will be performed for the Facility.

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Item 3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A tune-up must be performed on the dryer burner on an annual basis at any hot mix asphalt production plant that is in operation during that calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 4: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:6 NYCRR 212.12 (a) (2)

Item 4.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A plan must be submitted to the Department by March 1, 2011 which details the introduction or continuation of methods by which to reduce the moisture content of the aggregate stockpile(s). Such methods must be implemented that year, or the first subsequent year the plant is in operation.

The Department received an acceptable Stockpile Moisture Content Reduction Plan on February 25, 2011 which detailed the methods by which the facility will reduce the moisture content of the aggregate stockpile(s). The facility shall perform self-inspections to monitor compliance with the plan.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 5: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:6 NYCRR 212.12 (b)

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 5.2:



Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) When the burner is to be replaced, and a low NO_x burner is not the unit of choice, the owner or operator of a hot mix asphalt plant must provide the Department with an economic feasibility analysis that justifies their decision. The economic analysis must follow an approach acceptable to the Department.

(2) By January 1, 2020, all owners or operators of active plants which have not installed a low NO_x burner must have submitted an economic feasibility analysis. A low NO_x burner must be installed for that operating year in all instances in which it proves feasible.

(3) Hot mix asphalt production plants which are in a state of inactivity on January 1, 2020, and have not otherwise complied with the requirements of this subdivision by that date must do so prior to continued operation.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 6: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement: 6 NYCRR 225-1.2 (h)

Item 6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the

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Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.0015 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 7: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement: 6 NYCRR 225-1.2 (i)

Item 7.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Owners and/or operators of any stationary combustion installation that fires waste oil on or after July 1, 2014 are limited to the firing of waste oil with 0.75 percent sulfur by weight or less.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: WASTE OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.75 percent by weight
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL
CHANGE
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 8: Purchase of waste fuel prohibitions.
Effective between the dates of 12/08/2014 and 12/07/2024



Applicable Federal Requirement:6 NYCRR 225-2.6 (d)

Item 8.1: No owner or operator of a facility proposing to burn waste fuel or transporter of waste fuel may purchase, accept delivery, pick up or accept in trade any waste fuel unless the facility is receiving or proposing to burn waste fuel that meets the applicable requirements of this Subpart and the regulations promulgated pursuant to article 27, titles 7 and 9 and article 23, title 23 of the ECL and the transporter of the waste fuel is permitted under 6 NYCRR Part 364.

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

Condition 9: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:6 NYCRR 212.9

Item 9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 4-STANS

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

4-STANS is subject to 6 NYCRR Part 212.9 for new Hot Mix Asphalt Facilities. As per Part 212.9 Table 4, the particulate matter (TSP) emitted for a new source with a process weight of 250,000 lb/hr or greater shall be less than 0.03 gr/dscf. As per a test performed on August 1, 1995, the TSP emission rate was found to be 0.004 gr/dscf.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.03 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 3-hour average

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 10: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

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

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Item 10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 4-STANS

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Buffalo Crushed Stone, Inc. (BCS) may burn waste oil as an alternate fuel instead of natural gas in the batch mix hot mix asphalt plant dryer (emission unit 4-STANS). BCS conducted a combustion efficiency test as required by 6 NYCRR Part 225-2.3 to demonstrate that the batch plant's combustion efficiency is a minimum of 99% while burning Waste Fuel A. The test was performed on August 24, 2004, with an average combustion efficiency of 99.5% over three test runs. The emission unit will be considered in compliance with this combustion efficiency requirement as long as the batch plant is operated and maintained in accordance with manufacturer's recommendations and all monitoring parameters required elsewhere in this permit are in compliance.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Permit Limit: 99 percent

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 11: Compliance Demonstration

Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement: 6 NYCRR 225-2.4 (b)

Item 11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 4-STANS

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 11.2:

New York State Department of Environmental Conservation

Permit ID: 9-1430-00014/00024

Facility DEC ID: 9143000014



Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The minimum heat content of the waste oil burned at the facility shall be 125000 BTU per gallon.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: HEAT CONTENT

Lower Permit Limit: 125000 British thermal units per gallon

Monitoring Frequency: PER DELIVERY

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 12: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:6 NYCRR 225-2.4 (b)

Item 12.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 4-STANS

Regulated Contaminant(s):

CAS No: 001336-36-3 POLYCHLORINATED BIPHENYL

Item 12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

PCB concentration of the waste oil burned at the facility shall not exceed 50 ppm by weight excluding water.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 50 parts per million by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 13: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024



Applicable Federal Requirement:6 NYCRR 225-2.4 (b)

Item 13.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 4-STANS

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

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Total halogen concentration of the waste oil burned at
the facility shall not exceed 1000 ppm by weight.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 1000 parts per million by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 14: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:6 NYCRR 225-2.4 (b)

Item 14.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 4-STANS

Regulated Contaminant(s):
CAS No: 007439-92-1 LEAD

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Lead concentration in the waste oil burned at the
facility shall not exceed 250 parts per million by
weight.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

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Permit ID: 9-1430-00014/00024

Facility DEC ID: 9143000014



Process Material: WASTE OIL
Parameter Monitored: CONCENTRATION
Upper Permit Limit: 250 parts per million by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 15: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:40CFR 60.92(a)(1), NSPS Subpart I

Item 15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 4-STANS

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

Item 15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

4-STANS is subject to 40 CFR 60 Subpart I-Standards of Performance for Hot Mix Asphalt Facilities. Subpart I restricts particulate matter (TSP) emitted to be less than 0.04 gr/dscf. As per a test performed on August 1, 1995, the TSP emission rate was found to be 0.004 gr/dscf.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.04 grains per dscf
Reference Test Method: EPA Method 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 3-hour average
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 16: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable Federal Requirement:40CFR 60.92(a)(2), NSPS Subpart I

Item 16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 4-STANS

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

New York State Department of Environmental Conservation

Permit ID: 9-1430-00014/00024

Facility DEC ID: 9143000014



Item 16.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

4-STANS is subject to 40 CFR 60 Subpart I-Standards of Performance for Hot Mix Asphalt Facilities. Subpart I restricts visible emissions (VE) to be less than 20 %. As per a test performed on August 1, 1995, the VE was 0 %.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



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 - 6 NYCRR 201-1.10 (a)

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

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 17: Contaminant List
Effective between the dates of 12/08/2014 and 12/07/2024



Applicable State Requirement:ECL 19-0301

Item 17.1:

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: 001336-36-3
Name: POLYCHLORINATED BIPHENYL

CAS No: 007439-92-1
Name: LEAD

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

**Condition 18: Malfunctions and start-up/shutdown activities
Effective between the dates of 12/08/2014 and 12/07/2024**

Applicable State Requirement:6 NYCRR 201-1.4

Item 18.1:

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described



under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

Condition 19: Emission Unit Definition
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 19.1:

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

Emission Unit: 1-CRUSH

Emission Unit Description:

This emission unit consists of the quarry and stone crushing operations, to include blasting, loading, unloading, crushing, screening and other manufacturing related activities. Fugitive particulate emissions are released from seventy three (60) emission points.

Building(s): QUARRY

Item 19.2:

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

Emission Unit: 2-ASTEC

Emission Unit Description:

The emission unit consists of a drum mix hot mix asphalt plant manufactured by Astec (model 8'00c). The plant is comprised of a mixing drum (source id 2drum) equipped with a dryer burner and a hot oil heater (source id 2heat). Particulate emissions are controlled by a fabric filter, and released through emission point 00002.

Building(s): AST

Item 19.3:

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

Emission Unit: 3-BATCH

Emission Unit Description:

A Hetherington & Berner batch mix hot mix asphalt plant capable of producing 125 tons of asphalt per hour. The plant includes a rotary dryer and a hot oil heater. The plant consists of a hot oil heater (source id hheat), a rotary dryer (source id hdrum), and a mixer (source id hbmix). Emissions are controlled by a baghouse.

Building(s): H & B

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Item 19.4:

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

Emission Unit: 4-STANS

Emission Unit Description:

A batch mix hot mix asphalt plant manufactured by Stansteel (model rm-120) capable of producing 320 tons of asphalt per hour. The plant is comprised of a mixer (source id sbat), a hot oil heater (source id stoil), and a rotary dryer (source id stdry). Emissions are controlled by a baghouse.

Building(s): STAN

Condition 20: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 20.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Due to the fact that the Como Quarry will be operated only sparingly for approximately the next two years while the crusher and asphalt plants are moved to new locations on-site, the facility emissions will be less than 49 tons per year of Carbon Monoxide, Oxides of Nitrogen, Sulfur Dioxide, and Particulates (PM-10). The facility emissions of Volatile Organic Compounds will be less than 24 tons per year. The facility must track emissions monthly. Within 60 days of the Como Quarry becoming fully operational, a new state facility application shall be submitted to the Department describing the changes that were made.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 21: Renewal deadlines for state facility permits
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable State Requirement:6 NYCRR 201-5.2 (c)

Item 21.1:

The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit

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expiration for permit renewal purposes.

Condition 22: Compliance Demonstration
Effective between the dates of 12/08/2014 and 12/07/2024

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

Item 22.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 22.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 9
270 Michigan Ave.
Buffalo, NY 14203

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

Condition 23: Visible Emissions Limited
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable State Requirement:6 NYCRR 211.2

Item 23.1:

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.

**** Emission Unit Level ****

Condition 24: Emission Point Definition By Emission Unit
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable State Requirement:6 NYCRR Subpart 201-5



Item 24.1:

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

Emission Unit: 2-ASTEC

Emission Point: 00002

Height (ft.): 32 Length (in.): 36 Width (in.): 36
NYTMN (km.): 4756.42 NYTME (km.): 194.429 Building: AST

Item 24.2:

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

Emission Unit: 3-BATCH

Emission Point: 00003

Height (ft.): 32 Length (in.): 43 Width (in.): 38
NYTMN (km.): 4756.42 NYTME (km.): 194.429 Building: H & B

Item 24.3:

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

Emission Unit: 4-STANS

Emission Point: 00004

Height (ft.): 43 Length (in.): 48 Width (in.): 48
NYTMN (km.): 4756.42 NYTME (km.): 194.429 Building: STAN

Condition 25: Process Definition By Emission Unit
Effective between the dates of 12/08/2014 and 12/07/2024

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 25.1:

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

Emission Unit: 1-CRUSH

Process: CRU Source Classification Code: 3-05-020-99

Process Description:

THIS PROCESS DESCRIBES THE FORMATION OF
AGGREGATE. ACTIVITIES INCLUDE BLASTING,
LOADING AND UNLOADING OF MATERIALS,
CRUSHING OF MATERIALS AND SCREENING.

Emission Source/Control: 0CRU3 - Process

Item 25.2:

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

Emission Unit: 2-ASTEC

Process: DRU Source Classification Code: 3-05-002-42

Process Description:

A DRUM MIX HOT MIX ASPHALT PLANT

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Facility DEC ID: 9143000014



MANUFACTURED BY ASTEC. THE PLANT IS CAPABLE OF PRODUCING 325 TONS OF ASPHALT PER HOUR. PARTICULATE EMISSION ARE CONTROLLED BY A FABRIC FILTER.

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

Emission Source/Control: 2DRUM - Process

Emission Source/Control: 2HEAT - Process

Item 25.3:

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

Emission Unit: 3-BATCH

Process: HBB

Source Classification Code: 3-05-002-30

Process Description:

AN H & B BATCH MIX HOT MIX ASPHALT PLANT CAPABLE OF PRODUCING 125 TONS OF ASPHALT PER HOUR. PARTICULATE EMISSIONS ARE CONTROLLED WITH A FABRIC FILTER. THE PLANT CONSISTS OF A MIXER, A ROTARY DRYER AND A HOT OIL HEATER.

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

Emission Source/Control: HBMIX - Process

Emission Source/Control: HDRUM - Process

Emission Source/Control: HHEAT - Process

Item 25.4:

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

Emission Unit: 4-STANS

Process: SST

Source Classification Code: 3-05-002-30

Process Description:

A STANSTEEL BATCH MIX HOT MIX ASPHALT PLANT (MODEL RM-120) CAPABLE OF PRODUCING 300 TONS OF ASPHALT PER HOUR. PARTICULATE EMISSIONS ARE CONTROLLED WITH A FABRIC FILTER. AFTER THE CONTROL DEVICE, EMISSIONS ARE DIRECTED OUT EMISSION POINT 00004.

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

Emission Source/Control: STBAT - Process



Emission Source/Control: STDRY - Process

Emission Source/Control: STOIL - Process

