



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 9-2930-00015/02001  
Mod 0 Effective Date: 03/18/2004 Expiration Date: No expiration date.

Mod 1 Effective Date: Expiration Date:

Permit Issued To: LAFARGE NORTH AMERICA INC  
12950 WORLDGATE DR STE 500  
HERNDON, VA 20170

Contact: WILLIAM POOLE  
LAFARGE NORTH AMERICA INC  
75 PINEVIEW DR STE 100  
BUFFALO, NY 14228  
(716) 505-5304

Facility: LAFARGE NORTH AMERICA - NIAGARA FALLS QUARRY  
8875 QUARRY RD  
NIAGARA FALLS, NY 14304

Contact: COURTLAND HESS  
LAFARGE NORTH AMERICA  
400 HINMAN ROAD  
LOCKPORT, NY 14094  
(716) 439-1300

**Description:**

This Air State Facility permit describes asphalt batching and aggregate processing operations at Lafarge Corporation's Redland Niagara Quarry. The facility identified as Redland Quarries New York, Inc.- Niagara Quarry is located at 8875 Quarry Road, Niagara Falls, New York 14304 and is a producer of crushed limestone and asphalt paving products. This permit is an application to reflect the removal of the drum asphalt plant and a change in the production cap for the batch asphalt plant.

Emissions from the facility consist of particulates, and PM-10 from the crushing, screening and conveying operations and volatile organic compounds (VOC), sulfur dioxide, nitrogen oxides, carbon monoxide, particulate matter and various hazardous air pollutants (HAPs) from the asphalt production. The facility will accept production limits to maintain potential emissions below the major source thresholds for these contaminants.

**Crushing Plant**

The crushed stone operation consists of quarrying activities with associated crushing, screening, and material handling operations. The new crushing plant began operation in March of 2001 and consists of a 900 ton per hour Cedar Rapids 5348 primary



impact crusher and a 500 ton per hour Cedar Rapids 5064 secondary oversize crusher. The primary crusher is rated at 900 tph but is limited by conveyor capacity to 500 tph. Potential emissions of PM and PM-10 calculated using AP-42 emission factors(01/95) at the maximum rate of 4,380,000 tons per year have shown these emissions to be less than the major source threshold of 100 tons per year.

The crushing and screening operations are subject to the New Source Performance Standards for Non-Metallic Mineral Processing 40 CFR Part 60 Subpart OOO for sources constructed or modified after August 31, 1983. These standards prohibit fugitive emissions from the crusher in excess of 15 percent opacity and fugitive emissions from any transfer point on the belt conveyors in excess of 10 % opacity. There are eight transfer points including the secondary crusher, surge bin, vibrating screen and five conveyor belts subject to the opacity requirement. These transfer points are equipped with water sprays. Method 9 evaluations were performed on September 8, 2001 consistent with the Subpart and demonstrated compliance with the opacity limits.

### **Asphalt Production**

The 7 ton H&B batch mix plant is identified as Plant 4 (emission point 00004) and began operation in March 1976. This plant is equipped with a natural gas fired rotary dryer and a H&B baghouse and is rated at 300 ton per hour. There are two associated 30,000 gallon natural gas-fired heated asphalt oil tanks.

Batch hot mix asphalt processing begins as hoppers meter aggregate material onto a conveyor belt that transfers the aggregate into a rotary dryer. Natural gas was used to fire the aggregate dryer and will be replaced by waste oil as the primary fuel. As the hot aggregate leaves the dryer, it drops into a bucket elevator and transfers to a set of vibrating screens that classify it into different grades and drops it into the respective size hot bins. The hot bins open over a weigh hopper for the desired mix and weight in each batch. Concurrent with the aggregate being weighed, liquid asphalt cement is pumped from a heated storage tank into an asphalt bucket where it is weighed to achieve the desired aggregate to asphalt cement ratio in the final mix. The aggregate is dropped from the weigh hopper into the pugmill and dry-mixed. Liquid asphalt then drops into the pugmill where it is mixed for an additional period of time. The asphalt product is then transferred to one of the three heated storage silos. There is one associated natural gas fired heated asphalt tank with a 30,000 gallon capacity.

The batch plant is subject to the New Source Performance Standards 40 CFR Part 60 Subpart I for Hot Mix Asphalt Facilities constructed after June 11, 1973. This Subpart limits particulate emissions to 0.04 grains per dscf and opacity to less than 20 percent. A source test was conducted on August 11, 1976 and demonstrated compliance with the standards. The particulate emission rate during the performance test was 0.008 grains/dscf.

### **Waste Oil**

This permit describes use of waste oil as an alternate fuel with calculation of emissions of PM carbon monoxide, nitrogen oxides, VOC, and HAPs based on AP-42 emission factors. Production of asphalt from the batch plant will be limited to 450,000 tons

**New York State Department of Environmental Conservation**  
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per year during each rolling 12 month period in order for actual emissions from all emission sources including fugitives remain less than the major source thresholds. This permit contains facility-wide federally enforceable emission limits to establish minor source status for 6NYCRR, Part 231-2-Non-Attainment New Source Review; 6NYCRR, Part 212.10- Reasonably Available Control Technology for VOC and NOx; and 6NYCRR, Part 201-6- Title V Permits.

The facility has installed a 20,000 gallon waste oil tank and associated natural gas heater. The tank and heater are enclosed in secondary containment. The waste oil to be used is subject to the limitations of Parts 225-1 and 225-2. The waste oil characteristics submitted by NOCO Energy identify the oil as waste fuel A. Waste fuel A must meet the limitations of 225-2.4(b) Table 2-1 and contain between 25- 250 ppm Lead; less than 50 ppm PCB; a maximum 1,000 ppm Total Halogens; and a minimum Gross Heat Content of 125,000 BTU/gal. The sulfur content is limited by 225-1 to 1.5% by weight. In addition, Part 225-2.3(b)(3) requires that the combustion efficiency be demonstrated to be a minimum of 99 percent while burning waste fuel A. Appendix III of Air Guide 17 offers the source owner the option of demonstrating the combustion efficiency by demonstrating that the source does not exceed a CO limit of 500 ppm. As an alternative to demonstrating the relationship between CO and CO<sub>2</sub>, the facility has demonstrated in a September 2, 2003 combustion efficiency test that the CO emissions from the batch asphalt dryer will not exceed 500 ppm as per the guidance in Appendix III of Air Guide 17.

The waste oil will also be subject to the sulfur-in-fuel limitations of Part 225-1 which limit the sulfur content of oil combusted to 1.50 percent sulfur by weight.

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:            DOUGLAS E BORSCHEL  
   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
  - Applications for Permit Renewals and Modifications
  - Permit modifications, suspensions or revocations by the Department
  - Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

- Submission of Applications for Permit Modification or Renewal
  - REGION 9 HEADQUARTERS
- 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 1-1: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 1-1.1:**

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

**Item 1-1.2:**

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

**Item 1-1.3:**

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



**Applicable State Requirement: 6 NYCRR 621.13**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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

**Condition 1-2: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-2.1:**

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.

**Condition 4: Permit Modifications, Suspensions and Revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.14**

**Item 4.1:**

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

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



the Department related to the permitted activity.

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

**Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 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

**Condition 1-3: Submission of application for permit modification or renewal-REGION 9**

**HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 1-3.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 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: 9-2930-00015/02001

Facility DEC ID: 9293000015



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: LAFARGE NORTH AMERICA INC  
12950 WORLDGATE DR STE 500  
HERNDON, VA 20170

Facility: LAFARGE NORTH AMERICA - NIAGARA FALLS QUARRY  
8875 QUARRY RD  
NIAGARA FALLS, NY 14304

Authorized Activity By Standard Industrial Classification Code:  
1422 - CRUSHED AND BROKEN LIMESTONE  
2951 - PAVING MIXTURES AND BLOCKS

Permit Effective Date:

Permit Expiration Date:



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1-1 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- \*1-2 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 1 : Compliance Demonstration
- 1-3 6 NYCRR 211.1: Air pollution prohibited
- 1-4 6 NYCRR 225-2.3 (b) (3): Compliance Demonstration
- 1-5 6 NYCRR 225-2.3 (b) (3): Compliance Demonstration
- 6 : Compliance Demonstration
- 1-6 6 NYCRR 225-2.4 (b): Compliance Demonstration
- 7 : Compliance Demonstration
- 1-7 6 NYCRR 225-2.4 (b): Compliance Demonstration
- 8 : Compliance Demonstration
- 1-8 6 NYCRR 225-2.4 (b): Compliance Demonstration
- 9 : Compliance Demonstration
- 1-9 6 NYCRR 225-2.4 (b): Compliance Demonstration
- 10 : Compliance Demonstration

#### Emission Unit Level

##### EU=0-1DRUM

- 12 : Compliance Demonstration

##### EU=0-1DRUM,Proc=D01

- 13 40CFR 60.92, NSPS Subpart I: Compliance Demonstration
- 14 40CFR 60.92, NSPS Subpart I: Compliance Demonstration

##### EU=1-BATCH,Proc=B01

- 1-10 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 19 ECL 19-0301: Contaminant List
- 1-11 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 21 6 NYCRR Subpart 201-5: Emission Unit Definition
- 1-12 6 NYCRR 211.2: Visible Emissions Limited

#### Emission Unit Level

- 23 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 24 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 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 1-1: Facility Permissible Emissions**



**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 1-1.1:**

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

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

per year	CAS No: 000630-08-0 (From Mod 1)	PTE: 199,999 pounds
	Name: CARBON MONOXIDE	
per year	CAS No: 007446-09-5 (From Mod 1)	PTE: 199,999 pounds
	Name: SULFUR DIOXIDE	
per year	CAS No: 0NY210-00-0 (From Mod 1)	PTE: 199,999 pounds
	Name: OXIDES OF NITROGEN	
per year	CAS No: 0NY998-00-0 (From Mod 1)	PTE: 99,999 pounds
	Name: VOC	

**Condition 1-2: Capping Monitoring Condition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 1-2.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6  
6 NYCRR 212.10

**Item 1-2.2:**

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

**Item 1-2.3:**

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

**Item 1-2.4:**

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On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 1-2.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 1-2.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY075-00-0	PARTICULATES
CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 0NY998-00-0	VOC
CAS No: 0NY100-00-0	HAP
CAS No: 000630-08-0	CARBON MONOXIDE

**Item 1-2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Production of hot mix asphalt (HMA) will be limited to 450,000 tons for the batch hot mix asphalt plant during every rolling 12-month period in order to limit facility-wide actual emissions of carbon monoxide to less than the major source threshold of 100 tons. By accepting these limits, the facility will not be subject to the major source permitting requirements for Title V (6NYCRR, Part 201-6).

Monthly records will be kept which demonstrate that the production of blacktop has not exceeded the production limit during any consecutive 12 month period. By limiting production, potential emissions of sulfur dioxide, particulates, nitrogen oxides, volatile organic compounds and hazardous air pollutants will also remain below their respective major source thresholds.

In addition, emissions shall also be calculated from the usage of natural gas and waste oil in the hot oil heaters for asphalt storage (using current AP-42 emission factors) and included in the monthly rolling totals.

Volatile organic compounds and nitrogen oxides which



remain below the major source thresholds of 50 tons and 100 tons per year respectively will not be subject to the Reasonably Available Control Technology Requirements (RACT) of 6NYCRR, Part 212.10.

Monitoring Frequency: MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1: Compliance Demonstration**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

**Applicable Federal Requirement:**

**Expired by Mod 1**

**Item 1.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

**Item 1.2:**

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

**Item 1.3:**

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

**Item 1.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 1.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 1.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5	SULFUR DIOXIDE
CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 0NY998-00-0	VOC

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CAS No: 0NY100-00-0 HAP  
CAS No: 000630-08-0 CARBON MONOXIDE

**Item 1.7:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Production of hot mix asphalt will be limited to 300,000 tons for the batch hot mix asphalt (Plant Plant 4) and 500,000 tons for the drum hot mix asphalt plant (Plant 5) during each rolling 12-month period in order to limit facility-wide actual emissions of carbon monoxide to less than the major source threshold of 100 tons. By accepting these limits, the facility will not be subject to the major source permitting requirements for Title V.

In addition, emissions shall be calculated from the usage of natural gas in the hot oil heaters for asphalt storage using the latest AP-42 emission factors and included the monthly rolling totals.

Monthly records will be maintained for the batch plant, Plant 4 and the drum plant, Plant 5 which demonstrate that the production of blacktop has not exceeded the production limit for each plant during any consecutive 12 month period. By limiting production to these levels, potential emissions of sulfur dioxide, nitrogen oxides, volatile organic compounds and hazardous air pollutants will also remain below major source thresholds and thereby not be subject to the permitting requirements of Title V.

By limiting production to these levels, volatile organic compounds and nitrogen oxides will also remain below the major source thresholds of 50 tons and 100 tons per year respectively for 6NYCRR, Part 212.10 and thereby not be subject to the Reasonably Available Control Technology Requirements (RACT) of that subpart.

Monitoring Frequency: MONTHLY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-3: Air pollution prohibited  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 1-3.1:**

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

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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 1-4: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 1-4.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

This permit modification application serves as a request for the use of waste oil as an alternate fuel to natural gas in the drum and batch rotary dryers. Redland Niagara will be required to conduct a combustion efficiency test as required by 6NYCRR, Part 225-2 in order to demonstrate that when burning Waste Fuel A the combustion efficiency is a minimum of 99%.

The batch dryer was tested on September 2, 2003 in accordance with Appendix III of Air Guide 17 and demonstrated that the CO concentration was less than 500 PPM and therefore the combustion efficiency met the required 99% specified in 225-2. The drum dryer will be re-tested and prior to the use of waste fuel at this installation, the results of testing must be submitted to this Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: COMBUSTION EFFICIENCY

Upper Permit Limit: 99 percent

Monitoring Frequency: SINGLE OCCURRENCE

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-5: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 1-5.1:**

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The Compliance Demonstration activity will be performed for the Facility.

**Item 1-5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

A combustion efficiency test was required by 6NYCRR, Part 225-2 in order to demonstrate a minimum of 99% efficiency when using Waste Fuel A. Appendix III of Air Guide 17 allows a facility to demonstrate compliance by alternatively demonstrating that the concentration of carbon monoxide does not exceed 500 ppm when burning waste fuel A..

The batch dryer was tested on September 2, 2003 and results demonstrated that the CO concentration was less than 500 PPM and therefore the combustion efficiency requirement was met.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: COMBUSTION EFFICIENCY

Upper Permit Limit: 500 parts per million (by volume)

Monitoring Frequency: SINGLE OCCURRENCE

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 6: Compliance Demonstration**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

**Applicable Federal Requirement:**

**Expired by Mod 1**

**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:

This permit modification application serves as a request for the use of waste oil as an alternate fuel to natural gas in the drum and batch rotary dryers. Redland Niagara will be required to conduct a combustion efficiency test as required by 6NYCRR, Part 225-2 in order to demonstrate that when burning Waste Fuel A the combustion efficiency is a minimum of 99%.

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The batch dryer was tested on September 2, 2003 in accordance with Appendix III of Air Guide 17 and demonstrated that the CO concentration was less than 500 PPM and therefore the combustion efficiency met the required 99% specified in 225-2. The drum dryer will be re-tested and prior to the use of waste fuel at this installation, the results of testing must be submitted to this Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: WASTE OIL  
Parameter Monitored: COMBUSTION EFFICIENCY  
Upper Permit Limit: 99 percent  
Monitoring Frequency: SINGLE OCCURRENCE  
Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE - SEE MONITORING DESCRIPTION  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-6: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 1-6.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The maximum concentration of lead in the waste fuel shall not exceed 250 parts per million.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: WASTE OIL  
Parameter Monitored: CONCENTRATION  
Upper Permit Limit: 250 parts per million 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: UPON REQUEST BY REGULATORY AGENCY

**Condition 7: Compliance Demonstration**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

**Applicable Federal Requirement:**



**Expired by Mod 1**

**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:

Fuel contaminant limitations for lead.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 250.0 parts per million 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: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-7: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 1-7.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-7.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The minimum fuel heat content of the waste oil shall be at least 125,000 BTU/gallon on fuel.

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 BATCH OF PRODUCT/RAW MATERIAL CHANGE

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 8: Compliance Demonstration**



Effective between the dates of 03/18/2004 and Permit Expiration Date

**Applicable Federal Requirement:**

**Expired by Mod 1**

**Item 8.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Fuel heat content - minimum required

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: HEAT CONTENT

Lower Permit Limit: 125000.0 British thermal units per gallon

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-8: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 1-8.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The total concentration of polychlorinated biphenyls (PCBs) shall not exceed 50 parts per million.

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 BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

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Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 9: Compliance Demonstration**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

**Applicable Federal Requirement:**

**Expired by Mod 1**

**Item 9.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Fuel contaminant limitations for Polychlorinated Biphenyls.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 49.99 parts per million 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: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-9: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 1-9.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The total concentration of halogens in the waste oil shall not exceed 1,000 parts per million.

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 BATCH OF PRODUCT/RAW MATERIAL

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

**Condition 10: Compliance Demonstration**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

**Applicable Federal Requirement:**

**Expired by Mod 1**

**Item 10.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

Fuel contaminant limitations for total halogens.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 1000.0 parts per million 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: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 12: Compliance Demonstration**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

**Applicable Federal Requirement:**

**Expired by Mod 1**

**Item 12.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-1DRUM

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 12.2:**

Compliance Demonstration shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As an existing minor facility, potential emissions of volatile organic compounds (VOC) will be limited to less than the major facility applicability threshold of 50 tons by limiting the production of asphalt product from the Plant 5 drum plant to 500,000 tons of asphalt product during any consecutive twelve month period. At the time of initial operation in August 1993, potential emissions of VOC from the drum mix plant exceeded 50 tons and therefore were limited to avoid the New Source Review requirements of 6NYCRR, Part 231-2. In addition, this cap will ensure that nitrogen oxide emissions remain below the major source thresholds of 100 tons.

The facility is required to maintain records to demonstrate that production has not exceeded the 500,000 ton limit for each rolling twelve month period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 13: Compliance Demonstration**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

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

**Expired by Mod 1**

**Item 13.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-1DRUM

Process: D01

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The particulate emission limit for hot mix asphalt facilities constructed after June 11, 1973 is 0.04 gr/dscf. This drum mix asphalt facility identified as Plant 5 was constructed in August 1993 and a stack test was conducted in March 1994. The performance test demonstrated compliance with the standard with an emission rate of 0.0067 gr/dscf.

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Redland shall maintain the fabric collector control device in a manner consistent with good air pollution control practice for minimizing emissions. The baghouse shall be inspected prior to each production season and any required repairs made prior to start-up. A record of the inspection shall be maintained on-site and made available to Department representatives on request. Records shall be maintained for a period of five years.

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

**Condition 14: Compliance Demonstration**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

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

**Expired by Mod 1**

**Item 14.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-1DRUM

Process: D01

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

A hot mix asphalt facility subject to this Subpart shall not discharge gases into the atmosphere which exhibit an opacity of 20 percent or greater. Compliance shall be demonstrated in accordance with Reference Method 9 in Appendix A of 40 CFR Part 60. The opacity standard shall apply at all times except during start-up, shutdown, or malfunction. This Department reserves the right to request or perform a Method 9 evaluation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**Condition 1-10: Compliance Demonstration**  
**Effective for entire length of Permit**

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

**Item 1-10.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BATCH  
Process: B01

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

**Item 1-10.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The particulate emission limit for hot mix asphalt facilities constructed after June 11, 1973 is 0.04 gr/dscf. The batch hot mix asphalt facility identified as Plant 4 was put into operation in March 1976 and is subject to the particulate limitation of this Subpart and as such shall not discharge into the atmosphere particulate matter in excess of 0.04 gr/dscf. The results of a Method 5 performance test conducted on 08/11/1976 determined the particulate matter concentration to be 0.008 gr/dscf and therefore in compliance with this standard.

At all times, the facility shall maintain the fabric collector control device in a manner consistent with good air pollution control practice for minimizing emissions. Lafarge has submitted a baghouse I & M plan as follows:

1. On a daily basis, Lafarge will monitor the condition and performance of critical plant elements that have the potential to affect particulate emissions on an on-going basis during material production and operation.
2. On a monthly basis, a visual inspection of the baghouse will be conducted and the condition of each bag documented. Faulty bags will be promptly serviced. The visual inspection will also be conducted at the conclusion of the production season to address winter maintenance elements as necessary.
3. A black light test will be conducted on a semi-annual



basis. The test will be conducted prior to seasonal production and halfway into the production period. An additional test may be necessary if the results of monthly visual baghouse inspections indicate the need to evaluate fabric collector performance. Corrective action to address faulty bags and/or loose collars will be promptly implemented.

The facility shall keep records of all inspections and maintenance on-site in a format easily accessible to Department representatives and made available on request.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.04 grains per dscf

Reference Test Method: Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**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 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 19: Contaminant List**

**Effective between the dates of 03/18/2004 and Permit Expiration Date**

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

**Item 19.1:**

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: 007446-09-5  
Name: SULFUR DIOXIDE

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

CAS No: 0NY100-00-0  
Name: HAP

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

CAS No: 0NY998-00-0  
Name: VOC

**Condition 1-11: Unavoidable noncompliance and violations**

**Effective for entire length of Permit**

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

**Item 1-11.1:**

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

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's



representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 21: Emission Unit Definition**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

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

**Item 21.1(From Mod 1):**

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

Emission Unit: 1-BATCH

Emission Unit Description:

This emission unit describes an existing 7.5 ton (450 ton per hour) batch asphalt (HMA) plant identified as Plant 4 (emission point 00004) and consisting of cold feed bins, feeders, conveyors, rotary drum dryer, bucket elevator, vibrating screen, storage bins, weigh bucket and pugmill. The HMA can be either dropped into waiting trucks or conveyed into one of three 200 ton heated storage silos. There is a direct contact natural gas-fired burner for drying and heating the aggregate in the rotary dryer and a natural gas-fired heater for the asphalt cement. There are two associated 30,000 gallon asphalt oil tanks. Particulate emissions are controlled by a primary cyclone



collector and a secondary fabric filter collector.

Building(s): PLANT 4

**Item 21.2(From Mod 1):**

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

Emission Unit: 1-CRUSH

Emission Unit Description:

This emission unit describes the crushing of limestone in a Cedar Rapids 5348 primary impact crusher rated at 900 tons per hour(maximum 500 tph with conveyor size bottleneck) and a Cedar Rapids 5064 secondary oversize crusher. Material is further screened, sized, conveyed and stockpiled. This crushing plant was placed in operation in March 2001 and is subject to the New Source Performance Standards for Non-metallic Mineral Processing Plants-40 CFR Part 60.670 Subpart OOO. There are five transfer points, a vibrating screen, surge bin and crushing operation subject to the opacity requirements of this Subpart.

Building(s): CRUSH

**Item 21.3(From Mod 0):**

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

Emission Unit: 0-1DRUM

End Date: 01/01/2007

Emission Unit Description:

Processing of bituminous concrete through an existing 400 ton per hour counter-flow rotary drum mix asphalt plant identified as Plant 5(emission point 00005). This installation consists of cold feed bins, vibrating feeders, conveyors, rotary drum dryer, drag line and three 200 ton heated storage silos for bituminous concrete. There is also a 1 mmbtu/hr gas-fired direct contact burner utilized for drying and heating the aggregate. Particulate emissions are controlled by a primary collector and then a secondary fabric filter collector. The installation includes a natural gas asphalt cement heater and two 30,000 gallon storage tanks for the hot liquid asphalt. A RAP bin and conveyor for recycled asphalt are utilized at the drum.

Building(s): PLANT 5

**Condition 1-12: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 1-12.1:**

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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 23: Emission Point Definition By Emission Unit**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

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

**Item 23.1(From Mod 1):**

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

Emission Unit: 1-BATCH

Emission Point: 00004

Height (ft.): 64

Length (in.): 54

Width (in.): 36

NYTMN (km.): 4782.552

NYTME (km.): 177.84

Building: PLANT 4

**Item 23.2(From Mod 0):**

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

Emission Unit: 0-1DRUM

Emission Point: 00005

Removal Date: 01/01/2007

Height (ft.): 46

Diameter (in.): 54

NYTMN (km.): 4782.552

NYTME (km.): 177.84

Building: PLANT 5

**Condition 24: Process Definition By Emission Unit**  
**Effective between the dates of 03/18/2004 and Permit Expiration Date**

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

**Item 24.1(From Mod 1):**

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

Emission Unit: 1-BATCH

Process: B01

Source Classification Code: 3-05-002-51

Process Description:

Processing of bituminous concrete through a batch asphalt plant. Raw stone aggregate is hauled from the storage piles and placed into a cold feed hopper. The material is metered from the hopper onto a conveyor belt and transported into a natural gas/waste oil fired rotary dryer. As the hot aggregate leaves the dryer, it is discharged into a bucket elevator and sized into hoppers. Particulate emissions are controlled by a cyclone collector to drop out the larger material and then a



baghouse collector.

Emission Source/Control: 00004 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 0004E - Control  
Control Type: CENTRIFUGAL

Emission Source/Control: 0004A - Process

**Item 24.2(From Mod 1):**

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

Emission Unit: 1-BATCH

Process: B02

Source Classification Code: 3-05-002-06

Process Description:

Two 30,000 gallon, waste oil/natural gas-fired heated storage tanks for liquid asphalt cement. For the batch mix, the aggregate is weighed into a hopper and the hot liquid asphalt cement is pumped from heated storage and weighed. Both are then mixed together in a pug mill and dropped into a truck or conveyed to one of three 200 ton heated storage silos.

Emission Source/Control: 0004B - Process

Emission Source/Control: 0004C - Process

Emission Source/Control: 0004D - Process

Emission Source/Control: HEATR - Process

Emission Source/Control: WOTNK - Process

**Item 24.3(From Mod 1):**

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

Emission Unit: 1-CRUSH

Process: C01

Source Classification Code: 3-05-020-01

Process Description:

Primary crushing and recrushing of oversize limestone.

Emission Source/Control: C0001 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: C0002 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: PRIM1 - Process

Emission Source/Control: SECON - Process



**Item 24.4(From Mod 1):**

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

Emission Unit: 1-CRUSH  
Process: S01 Source Classification Code: 3-05-020-02  
Process Description:  
Screening and conveying processes consisting of a dump hopper, surge bin, feeder, vibrating screen(VS-1), two screens, splitter, and eight conveyor belts. The screens are a 7x20 double deck and an 8x20 triple deck with two belt to belt transfers.

Emission Source/Control: S0001 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: SURGE - Process

Emission Source/Control: TRAN1 - Process

Emission Source/Control: TRAN2 - Process

Emission Source/Control: TRAN3 - Process

Emission Source/Control: TRAN4 - Process

Emission Source/Control: TRAN5 - Process

Emission Source/Control: VS-01 - Process

**Item 24.5(From Mod 0):**

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

Emission Unit: 0-1DRUM  
Process: D01 Source Classification Code: 3-05-002-05  
Process End Date: 1/1/2007  
Process Description:

Production of bituminous concrete in a drum mix asphalt plant. Cold aggregate is introduced into the rotary drum where the material is heated and dried. As the drum rotates, material moves towards the other end of the drum, and hot liquid asphalt cement is introduced and mixed with aggregate and conveyed to one of three 200 ton heated storage silos.

Emission Source/Control: 00005 - Control Removal Date: 01/01/2007  
Control Type: FABRIC FILTER

Emission Source/Control: 0005A - Process Removal Date: 01/01/2007

**Item 24.6(From Mod 0):**

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

**New York State Department of Environmental Conservation**

**Permit ID: 9-2930-00015/02001**

**Facility DEC ID: 9293000015**



Emission Unit: 0-1DRUM

Process: D02

Source Classification Code: 3-05-002-06

Process End Date: 1/1/2007

Process Description:

Natural gas-fired asphalt cement heater with two 30,000 gallon asphalt storage tanks. Liquid asphalt cement is introduced into mixing zone in rotary drum dryer.

Emission Source/Control: 0005C - Process      Removal Date: 01/01/2007

**Item 24.7(From Mod 0):**

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

Emission Unit: 0-1DRUM

Process: W01

Source Classification Code: 3-05-002-10

Process End Date: 1/1/2007

Process Description:

Process represents utilization of waste oil as alternate fuel source for the aggregate dryer along with the associated 20,000 gallon waste fuel storage tank and heater. A fuel line from this waste fuel tank has been run to the batch plant where waste oil will also be used.

Emission Source/Control: W0001 - Process      Removal Date: 01/01/2007

Emission Source/Control: W0002 - Process      Removal Date: 01/01/2007

