

Facility DEC ID: 3484600120

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 3-4846-00120/00017  
Effective Date: 05/14/2019 Expiration Date: 05/13/2029

Permit Issued To: E TETZ & SONS INC  
130 CROTTY RD  
MIDDLETOWN, NY 10941

Contact: GARY TETZ  
E TETZ AND SONS INC  
130 CROTTY RD  
MIDDLETOWN, NY 10941  
(845) 692-4486

Facility: MONGAUP VALLEY QUARRY (SLATE HILL S&G)  
STARLIGHT RD & ST RTE 17B  
THOMPSON, NY 12784

Description:  
The facility consists of a main plant with four crushers, three screens, and multiple conveyors. The main plant is powered by a 2550 horsepower diesel generator. The facility also includes portable crushing and screening equipment, which are powered by diesel engines.

Nitrogen oxide emissions are limited to less than the major source threshold of 100 tons per year. Therefore, the facility is not subject to the requirements of Title V and 6NYCRR Part 227-2.

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: REBECCA S CRIST  
21 S PUTT CORNERS RD  
NEW PALTZ, NY 12561

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Facility DEC ID: 3484600120

### 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.

Facility DEC ID: 3484600120

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**DEC GENERAL CONDITIONS**

**General Provisions**

- 4 1 Facility Inspection by the Department
- 4 2 Relationship of this Permit to Other Department Orders and Determinations
- 4 3 Applications for permit renewals, modifications and transfers
- 5 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 5 5 Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS

Facility DEC ID: 3484600120

**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 the expiration of permits for Title V and 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.

Facility DEC ID: 3484600120

**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 3**  
**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 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: E TETZ & SONS INC  
130 CROTTY RD  
MIDDLETOWN, NY 10941

Facility: MONGAUP VALLEY QUARRY (SLATE HILL S&G)  
STARLIGHT RD & ST RTE 17B  
THOMPSON, NY 12784

Authorized Activity By Standard Industrial Classification Code:  
1429 - CRUSHED AND BROKEN STONE NEC

Permit Effective Date: 05/14/2019

Permit Expiration Date: 05/13/2029

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 6 1 6 NYCRR 200.7: Maintenance of Equipment
- 6 2 6 NYCRR 202-1.1: Required Emissions Tests
- 6 3 6 NYCRR 201-7.1: Facility Permissible Emissions
- 7 \*4 6 NYCRR 201-7.1: Capping Monitoring Condition
- 8 5 6 NYCRR 211.2: Visible Emissions Limited
- 8 6 6 NYCRR 225-1.2 (g): Compliance Demonstration
- 9 7 40CFR 60.7(a), NSPS Subpart A: Modification Notification
- 9 8 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 9 9 40CFR 60.12, NSPS Subpart A: Circumvention.
- 10 10 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 10 11 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 11 12 40CFR 60.675(c)(1), NSPS Subpart OOO: Opacity  
Procedures - Method 9 with Following Additions
- 11 13 40CFR 60.675(g), NSPS Subpart OOO: Performance Test Notification
- 12 14 40CFR 63, Subpart ZZZZ: Applicability

**Emission Unit Level**

**EU=U-00013,EP=00013**

- 12 15 6 NYCRR 227-1.3 (a): Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 14 16 ECL 19-0301: Contaminant List
- 14 17 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 15 18 6 NYCRR Subpart 201-5: Emission Unit Definition
- 16 19 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 16 20 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 17 21 6 NYCRR 211.1: Air pollution prohibited

**Emission Unit Level**

- 17 22 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 18 23 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

**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,



Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

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: 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 F: 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 G: 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 H: Proof of Eligibility for Sources Defined as Trivial**

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

**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 I: 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 J: 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 K: 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 L: Federally Enforceable Requirements - 40 CFR 70.6 (b)**

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

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: Maintenance of Equipment**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 1.1:**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Condition 2: Required Emissions Tests**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

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

**Item 2.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

**Condition 3: Facility Permissible Emissions**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 3.1:**

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:

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

CAS No: 0NY210-00-0

PTE: 159,800 pounds per year

Name: OXIDES OF NITROGEN

**Condition 4: Capping Monitoring Condition**  
**Effective between the dates of 05/14/2019 and 05/13/2029****Applicable Federal Requirement: 6 NYCRR 201-7.1****Item 4.1:**

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 Subpart 227-2

**Item 4.2:**

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

**Item 4.3:**

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 4.4:**

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 4.5:**

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 4.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 4.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

## DEVICE PARAMETERS AS SURROGATE

## Monitoring Description:

The hours of operation for each engine will be recorded on a monthly basis. NO<sub>x</sub> emissions will be calculated using the hours of operation, the horsepower rating of each engine, and AP-42 emission factors.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 79.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2020.

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

**Condition 5: Visible Emissions Limited****Effective between the dates of 05/14/2019 and 05/13/2029****Applicable Federal Requirement:6 NYCRR 211.2****Item 5.1:**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Condition 6: Compliance Demonstration****Effective between the dates of 05/14/2019 and 05/13/2029****Applicable Federal Requirement:6 NYCRR 225-1.2 (g)****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 installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014. 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

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

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: 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: Modification Notification**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

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

**Item 7.1:**

Any owner or operator subject to 40 CFR Part 60 shall furnish the Administrator and this office with the following information:

- a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR Part 60. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productivity capability of the facility before and after the change, and the expected completion date of the change. The Administrator and/or this Department may request additional information regarding the change.

**Condition 8: Prior notice.**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

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

**Item 8.1:**

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

**Condition 9: Circumvention.**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

**Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A**

**Item 9.1:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 10: Compliance Demonstration**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

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

**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: MONITORING OF PROCESS OR CONTROL  
 DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Fugitive emissions from any transfer point on belt conveyors or from any screen constructed after August 31, 1983 and before April 22, 2008 shall not exceed 10 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 visible emissions observation. When determining compliance with the opacity limit, the duration of the Method 9 observations must be 30 minutes (five 6 minute averages). Compliance will be based on the average of the five 6 minute averages.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
 DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING  
 DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 11: Compliance Demonstration**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

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

**Item 11.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from any crusher constructed after

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

August 31, 1983 and before April 22, 2008 shall not exceed 15 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 visible emissions observation. When determining compliance with the opacity limit, the duration of the Method 9 observations must be 30 minutes (five 6 minute averages). Compliance will be based on the average of the five 6 minute averages.

Parameter Monitored: OPACITY

Upper Permit Limit: 15 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 12: Opacity Procedures - Method 9 with Following Additions  
Effective between the dates of 05/14/2019 and 05/13/2029**

**Applicable Federal Requirement:40CFR 60.675(c)(1), NSPS Subpart OOO**

**Item 12.1:**

In determining compliance with the particulate matter standards in 40 CFR 60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in 40CFR 60.111, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

**Condition 13: Performance Test Notification  
Effective between the dates of 05/14/2019 and 05/13/2029**

**Applicable Federal Requirement:40CFR 60.675(g), NSPS Subpart OOO**

**Item 13.1:**

For performance tests involving only Method 9 (40 CFR 60 Appendix A-4) testing, the owner or operator may reduce the 30 day advance notification of performance test in 40 CFR 60.7(a)(6) and 60.8(d) to a 7 day advance notification.



Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

**Condition 14: Applicability**  
Effective between the dates of 05/14/2019 and 05/13/2029

**Applicable Federal Requirement:40CFR 63, Subpart ZZZZ**

**Item 14.1:**  
This Condition applies to:

Emission Unit: U00013

**Item 14.2:**  
Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

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

**Condition 15: Compliance Demonstration**  
Effective between the dates of 05/14/2019 and 05/13/2029

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

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

Emission Unit: U-00013                      Emission Point: 00013

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

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

Monitoring Description:  
No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

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

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

**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: Emergency Defense - 6 NYCRR 201-1.5**

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;

(3) During the period of the emergency the facility owner 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 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 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 B: 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.

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

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 C: **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 16: Contaminant List**

Effective between the dates of 05/14/2019 and 05/13/2029

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

**Item 16.1:**

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 17: Malfunctions and start-up/shutdown activities**

Effective between the dates of 05/14/2019 and 05/13/2029

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

**Item 17.1:**

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

(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 18: Emission Unit Definition****Effective between the dates of 05/14/2019 and 05/13/2029****Applicable State Requirement: 6 NYCRR Subpart 201-5****Item 18.1:**

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

Emission Unit: U-00001

Emission Unit Description:

Primary Jaw Crusher

**Item 18.2:**

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

Emission Unit: U-00002

Emission Unit Description:

Secondary Cone Crusher

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

**Item 18.3:**

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

Emission Unit: U-00003

Emission Unit Description:

Tertiary Cone Crusher

**Item 18.4:**

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

Emission Unit: U-00009

Emission Unit Description:

Three Triple Deck Screens and Conveyors

**Item 18.5:**

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

Emission Unit: U-00012

Emission Unit Description:

Barmac Rotary Tertiary Crusher

**Item 18.6:**

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

Emission Unit: U-00013

Emission Unit Description:

Diesel Generator

Building(s): 1

**Item 18.7:**

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

Emission Unit: U-00015

Emission Unit Description:

This emission unit consists of the following portable equipment: a primary jaw crusher, an impact crusher used with a double deck screen, a cone crusher used with a double deck screen, an Extec triple deck screen, an Extec double deck screen, and various conveyors. The diesel engines for powering the equipment are rated less than 400 horsepower.

**Condition 19: Renewal deadlines for state facility permits**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

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

**Item 19.1:**

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 expiration for permit renewal purposes.

**Condition 20: Compliance Demonstration**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

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

**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:

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 3  
21 South Putt Corners Rd.  
New Paltz, NY 12561

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 21: Air pollution prohibited  
Effective between the dates of 05/14/2019 and 05/13/2029**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 21.1:**

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

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

**Condition 22: Emission Point Definition By Emission Unit  
Effective between the dates of 05/14/2019 and 05/13/2029**

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

**Item 22.1:**

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

Emission Unit: U-00013

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

Emission Point: 00013  
 Height (ft.): 22 Diameter (in.): 15  
 NYTMN (km.): 4612.444 NYTME (km.): 518.783 Building: 1

**Condition 23: Process Definition By Emission Unit**  
**Effective between the dates of 05/14/2019 and 05/13/2029**

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

**Item 23.1:**

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

Emission Unit: U-00001  
 Process: CR1 Source Classification Code: 3-05-020-01  
 Process Description: Primary reduction of shot rock.

Emission Source/Control: A1001 - Control  
 Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00CR1 - Process

**Item 23.2:**

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

Emission Unit: U-00002  
 Process: CR2 Source Classification Code: 3-05-020-02  
 Process Description: Secondary reduction of process material.

Emission Source/Control: A2002 - Control  
 Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: A2000 - Process

**Item 23.3:**

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

Emission Unit: U-00003  
 Process: CR3 Source Classification Code: 3-05-020-03  
 Process Description:

Tertiary crushing operation of process material following  
 initial screening.

Emission Source/Control: A3003 - Control  
 Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: A3000 - Process

**Item 23.4:**

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

Emission Unit: U-00009  
 Process: SC1 Source Classification Code: 3-05-040-34

Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

Process Description:

Material is sized and separated with two triple deck screens and conveyed to various stockpiles.

Emission Source/Control: 00WS4 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00CN1 - Process

Emission Source/Control: 00SC1 - Process

Emission Source/Control: 00SC2 - Process

**Item 23.5:**

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

Emission Unit: U-00009

Process: SC2 Source Classification Code: 3-05-020-06

Process Description:

Material is separated with a wet triple deck screen and conveyed to various stockpiles.

Emission Source/Control: 00CN2 - Process

Emission Source/Control: 00WSC - Process

**Item 23.6:**

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

Emission Unit: U-00012

Process: CR4 Source Classification Code: 3-05-020-03

Process Description:

Barmac rotary tertiary crusher processes 25% of secondary crusher throughput.

Emission Source/Control: 00WS5 - Control  
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: A1200 - Process

**Item 23.7:**

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

Emission Unit: U-00013

Process: GEN Source Classification Code: 2-02-004-01

Process Description:

Diesel fuel is combusted in a 1750 KW generator set, which is used to provide electric power to the main plant.

Emission Source/Control: A1301 - Combustion



Permit ID: 3-4846-00120/00017

Facility DEC ID: 3484600120

**Item 23.8:**

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

Emission Unit: U-00015

Process: CR5

Source Classification Code: 3-05-020-06

Process Description:

Rock is sent through portable crushers, screens, and conveyors. The crushed aggregate is sized into various products and conveyed into separate stockpiles.

Emission Source/Control: 00WS6 - Control

Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: 00CN3 - Process

Emission Source/Control: 00CR5 - Process

Emission Source/Control: 00CR6 - Process

Emission Source/Control: 00CR7 - Process

Emission Source/Control: 00SC3 - Process

Emission Source/Control: 00SC4 - Process

Emission Source/Control: 00SC5 - Process

Emission Source/Control: 00SC6 - Process

**Permit ID: 3-4846-00120/00017**

**Facility DEC ID: 3484600120**