



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 3-5144-00065/00011
Effective Date: 05/06/2010 Expiration Date: No expiration date

Permit Issued To: METRO RECYCLING & CRUSHING INC
1364 RTE 9
CASTLETON ON HUDSON, NY 12033

Contact: MARK SERVIDONE
A SERVIDONE INC
1364 US RTE 9
CASTLETON ON HUDSON, NY 12033
(518) 732-2040

Facility: ROCK MOUNTAIN FARMS MINE
QUEENS HIGHWAY
ACCORD, NY 12404

Contact: MARK SERVIDONE
A SERVIDONE INC
1364 US RTE 9
CASTLETON ON HUDSON, NY 12033
(518) 732-2040

Description:
Rock Mountain Farms Mine is located in Accord, Ulster County and consists of an existing portable stone and aggregate processing facility plant with a nominal capacity of 400 tons per hour (A-00001). The facility will produce aggregate products.

The combined emissions from all emission sources at the facility are below major source thresholds, and thus the facility will not be subject to the requirements of Title V status. Applicable regulations consist of New Source Performance Standards 40 CFR Part 60 Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants. The facility is also subject to monitoring and reporting requirements under 6NYCRR Parts 201, 225 and 227.

A model year 1999 diesel generator will be used to supply power on site.

The Standard Industrial Classification representative of this facility is 1442- Construction sand and Gravel

Renewal 1

Permit renewal for Air State Facility permit set to expire 5/09/2010. Also various conditions and emissions units/points/processes/sources and controls have been revised for further clarity.

New York State Department of Environmental Conservation
Facility DEC ID: 3514400065



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: KENNETH R GRZYB
 NYSDEC REGION 3
 21 S PUTT CORNERS RD
 NEW PALTZ, NY 12561

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

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



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

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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



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

Item 4.1:

The Department reserves the right to 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

New York State Department of Environmental Conservation

Permit ID: 3-5144-00065/00011

Facility DEC ID: 3514400065



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: METRO RECYCLING & CRUSHING INC
1364 RTE 9
CASTLETON ON HUDSON, NY 12033

Facility: ROCK MOUNTAIN FARMS MINE
QUEENS HIGHWAY
ACCORD, NY 12404

Authorized Activity By Standard Industrial Classification Code:
1442 - CONSTRUCTION SAND AND GRAVEL

Permit Effective Date: 05/06/2010
date.

Permit Expiration Date: No expiration
date.



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 225-1.2 (d): Compliance Demonstration
- 2 6 NYCRR 227-1.3: Compliance Demonstration
- 3 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver
- 4 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 5 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 10 40CFR 60.670(d)(1), NSPS Subpart OOO: Compliance Demonstration
- 8 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 9 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 7 40CFR 60.675, NSPS Subpart OOO: Compliance Demonstration
- 6 40CFR 60.676, NSPS Subpart OOO: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 11 ECL 19-0301: Contaminant List
- 12 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 13 6 NYCRR Subpart 201-5: Emission Unit Definition
- 14 6 NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 15 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 16 6 NYCRR Subpart 201-5: Process Definition By Emission Unit



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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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



required to operate such device effectively.

Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6 NYCRR 201-1.5

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.



(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Item F: Recycling and Salvage - 6 NYCRR 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Required Emission Tests - 6 NYCRR 202-1.1



An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

Item K: Visible Emissions Limited - 6 NYCRR 211.3

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

Item L: Open Fires 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 M: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item N: Federally Enforceable Requirements - 40 CFR 70.6 (b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state



regulations.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: Compliance Demonstration
Effective between the dates of 05/06/2010 and Permit Expiration Date

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

Item 1.1:

The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: G-00001

Process: 002

Emission Source: GS001

Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE

Item 1.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The facility shall not use, purchase, sell, or offer for sale any fuel which has a sulfur content greater than the limit presented below. Records of fuel oil supplier certifications shall be retained. Such certifications shall contain as a minimum: supplier name, date until certification is valid, and a statement indicating that the sulfur content is less than the stated limit. Such certifications must be retained for five calendar years, kept on site and furnished to the Department upon request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2: Compliance Demonstration
Effective between the dates of 05/06/2010 and Permit Expiration Date



Applicable Federal Requirement:6 NYCRR 227-1.3

Item 2.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: G-00001

Emission Point: GS001

Process: 002

Emission Source: GS001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six minute period per hour of not more than 27 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 evaluation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3: Performance Test Methods - Waiver
Effective between the dates of 05/06/2010 and Permit Expiration Date

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

Item 3.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

Condition 4: Prior notice.
Effective between the dates of 05/06/2010 and Permit Expiration Date



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

Item 4.1:

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

Condition 5: Opacity standard compliance testing.
Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 5.1:

The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

Condition 10: Compliance Demonstration
Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.670(d)(1), NSPS Subpart

OOO

Item 10.1:

The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: A-00001

Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

When the facility replaces a piece of equipment with an equivalent or smaller size, as defined in §60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of §60.672, 60.674, and 60.675. The facility shall submit the information required in §60.676(a) upon request from the Department.

An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption above and must comply with the provisions of



§§60.672, 60.674 and 60.675.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 8: Compliance Demonstration
Effective between the dates of 05/06/2010 and Permit Expiration Date

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

Item 8.1:

The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: A-00001
Process: 003 Emission Source: CNVYR

Emission Unit: A-00001
Process: 004 Emission Source: SCRNS

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

Item 8.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins and enclosed truck (as defined in §§60.670 and 60.671) are limited to less than 10 percent opacity standards. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

A Method 9 opacity evaluation shall follow the procedures outlined in 40 CFR 60-000.675(c). When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 10 percent opacity; and



(ii) There are no more than 3 readings of 10 percent for the 1-hour period.

The facility must meet the fugitive emission limits and compliance requirements as specified below for each of the specified points within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11. This applies for fugitive emissions without capture systems and for fugitive emissions escaping capture systems.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 9: Compliance Demonstration
Effective between the dates of 05/06/2010 and Permit Expiration Date

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

Item 9.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: A-00001

Process: 003

Emission Source: CNVYR

Emission Unit: A-00001

Process: 004

Emission Source: SCRNS

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 9.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Fugitive emissions from crushers (as defined in §§60.670 and 60.671) are limited to less than 15 percent opacity standards. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

A Method 9 opacity evaluation shall follow the procedures



outlined in 40 CFR 60-000.675(c). When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

- (i) There are no individual readings greater than 15 percent opacity; and
- (ii) There are no more than 3 readings of 15 percent for the 1-hour period.

The facility must meet the fugitive emission limits and compliance requirements as specified below for each of the specified points within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11. This applies for fugitive emissions without capture systems and for fugitive emissions escaping capture systems.

Parameter Monitored: OPACITY
Upper Permit Limit: 15 percent
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 7: Compliance Demonstration
Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.675, NSPS Subpart OOO

Item 7.1:

The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: A-00001 Process: 001	Emission Point: 00001 Emission Source: CR001
Emission Unit: A-00001 Process: 001	Emission Point: 00002 Emission Source: CR002
Emission Unit: A-00001 Process: 003	Emission Source: CNVYR
Emission Unit: A-00001 Process: 004	Emission Source: SCRNS



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

Item 7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In conducting the performance tests required in §60.8, the facility shall use as reference methods and procedures the test methods in appendices A-1 through A-7 of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). Acceptable alternative methods and procedures guidelines are also included.

In determining compliance with the particulate matter standards in §60.672(b), the facility shall use Method 9 of Appendix A-4 of this part and the procedures in §60.11, 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 of Appendix A-4 of this part, Section 2.1) must be followed.
- (iii) A visible mist is sometimes generated when using wet dust suppression for particulate matter control. 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.

When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b), the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart must be based on the average of the five 6-minute averages.

The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:



(i) A single visible emission observer may conduct visible emission observations for up to three fugitive emission points within a 15-second interval if the following conditions are met:

(ii) No more than three emission points may be read concurrently.

(iii) All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.

(iv) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

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

If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in §60.671 of this subpart) of the affected facility, then with approval from the Department, the facility may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 6: Compliance Demonstration
Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.676, NSPS Subpart OOO

Item 6.1:

The Compliance Demonstration activity will be performed for the facility:
The Compliance Demonstration applies to:

Emission Unit: A-00001

Item 6.2:



Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility, in order to comply with §60.670(d), shall keep a current list onsite and submit to the Department upon request the following information about the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

(i) The width of the existing belt being replaced and

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

(i) The rated capacity in megagrams or tons of the existing storage bin being replaced and

(ii) The rated capacity in megagrams or tons of replacement storage bins.

The facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672(b), including reports of opacity observations made using Method 9 (40 CFR part 60, Appendix A-4)

The subpart A requirement under §60.7(a)(1) for notification of the date construction or reconstruction commenced is waived for affected facilities under this subpart.



Monitoring Frequency: AS REQUIRED - SEE PERMIT 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 11: Contaminant List

Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 11.1:

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

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY075-00-0

Name: PARTICULATES

Condition 12: Unavoidable noncompliance and violations

Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-1.4

Item 12.1:

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 13: Emission Unit Definition
Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 13.1:

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

Emission Unit: A-00001

Emission Unit Description:

Portable aggregate crushing and screening plant. Sand and gravel is loaded into a hopper, transferred to a jaw crusher (em. Pt. 00001), conveyed to a vibrating screen and secondary crusher (em. Pt. 00002) and conveyed back to the screen unit or to stock piles.

Item 13.2:

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

Emission Unit: G-00001

Emission Unit Description:

Caterpillar generator set model no. 3412: engine fueled by diesel with emissions venting through an attached exhaust pipe. Engine turns a generator creating electrical power to the portable aggregate processing plant.

Condition 14: Air pollution prohibited
Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

Item 14.1:

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

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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 15: Emission Point Definition By Emission Unit
Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 15.1:

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

Emission Unit: A-00001

Emission Point: 00001

Height (ft.): 15 Diameter (in.): 10
NYTMN (km.): 4628.98 NYTME (km.): 560.65

Emission Point: 00002

Height (ft.): 14 Diameter (in.): 10
NYTMN (km.): 4628.98 NYTME (km.): 560.65

Item 15.2:

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

Emission Unit: G-00001

Emission Point: GS001

Height (ft.): 16 Diameter (in.): 10
NYTMN (km.): 4628.98 NYTME (km.): 560.65

Condition 16: Process Definition By Emission Unit
Effective between the dates of 05/06/2010 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 16.1:

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

Emission Unit: A-00001

Process: 001 Source Classification Code: 3-05-020-01

Process Description:

Primary Crusher (em. Pt 00001) with a rated capacity of 400 tph, conveyed to a vibrating screen and secondary crusher (em. Pt 00002).

Emission Source/Control: CR001 - Process



Design Capacity: 400 tons per hour

Emission Source/Control: CR002 - Process
Design Capacity: 375 tons per hour

Item 16.2:

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

Emission Unit: A-00001
Process: 003 Source Classification Code: 3-05-020-06
Process Description: Conveyors used to transport aggregate.

Emission Source/Control: CNVYR - Process

Item 16.3:

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

Emission Unit: A-00001
Process: 004 Source Classification Code: 3-05-020-02
Process Description: Screening of aggregate.

Emission Source/Control: SCRNS - Process

Item 16.4:

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

Emission Unit: G-00001
Process: 002 Source Classification Code: 2-02-004-01
Process Description:
Caterpillar generator set model no. 3412: internal
combustion engine burning diesel fuel.

Emission Source/Control: GS001 - Combustion
Design Capacity: 1,011 horsepower (mechanical)

