PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 4-1040-00034/00042
Effective Date: 01/15/2019 Expiration Date: 01/14/2029

Permit Issued To:A COLARUSSO AND SON INC
91 NEWMAN RD
PO BOX 302
HUDSON, NY 12534-0302

Contact: ROBERT COLARUSSO, JR
COLARUSSO QUARRY
91 NEWMAN RD
HUDSON, NY 12534

Facility: COLARUSSO QUARRY
91 NEWMAN RD
HUDSON, NY 12534

Description:
This permit authorizes the continued operation of an aggregate processing plant, a hot mix asphalt (HMA) plant, and a portable recycled asphalt pavement (RAP) plant at the Colarusso Quarry. This Air State Facility Permit incorporates new regulatory changes and replaces the previous Air Facility Registration. The two (2) generators are capped at 2,500 hours per year and the hot mix asphalt plant is capped at 400,000 tons of HMA per year.

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: ANGELO A MARCUCCIO
NYSDEC - REGION 4
1130 N WESTCOTT RD
SCHENECTADY, NY 12306-2014

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 4 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.

Item3.2:
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.

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 4 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 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:A COLARUSSO AND SON INC
91 NEWMAN RD
PO BOX 302
HUDSON, NY 12534-0302

Facility: COLARUSSO QUARRY
91 NEWMAN RD
HUDSON, NY 12534

Authorized Activity By Standard Industrial Classification Code:
2951 - PAVING MIXTURES AND BLOCKS
3295 - MINERALS, GROUND OR TREATED

Permit Effective Date: 01/15/2019 Permit Expiration Date: 01/14/2029

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS
Facility Level
1 6 NYCRR 211.2: Visible Emissions Limited
2 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions
3 40CFR 63, Subpart ZZZZ: Applicability
Emission Unit Level
4 6 NYCRR 201-7.1: Process Permissible Emissions

EU=0-U0001,EP=00012,Proc=AG3,ES=AG312
*5 6 NYCRR 201-7.1: Capping Monitoring Condition

EU=0-U0002,EP=00016,Proc=RP1,ES=RP116
*6 6 NYCRR 201-7.1: Capping Monitoring Condition

EU=0-U0003
7 6 NYCRR 212-4.1 (a) (2): Compliance Demonstration
8 6 NYCRR 212-4.1 (b): Compliance Demonstration

EU=0-U0003,EP=00018

*9 6 NYCRR 201-7.1: Capping Monitoring Condition
10 6 NYCRR 212-4.1 (a) (1): Compliance Demonstration
11 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
12 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

EU=0-U0003,EP=00018,Proc=BP1,ES=BP118
13 6 NYCRR 225-1.2 (h): Compliance Demonstration

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

EU=0-U0003,EP=00018

22 6 NYCRR 212-2.1 (a): Compliance Demonstration

NOTE: * preceding the condition number indicates capping.

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

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

Item A: **Sealing - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

Item B: **Acceptable Ambient Air Quality - 6 NYCRR 200.6**

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

Item C: **Maintenance of Equipment - 6 NYCRR 200.7**

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

required to operate such device effectively.

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

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

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: **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**

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)**

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: **Visible Emissions Limited**
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:6 NYCRR 211.2

Item 1.1:
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 2: **Applicability of Subpart A General Provisions**
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:40CFR 60, NSPS Subpart A

Item 2.1:
This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 3: **Applicability**
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 3.1:
Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

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

Condition 4: **Process Permissible Emissions**

Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 4.1:
The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 0-U0001 Process: AG3

CAS No: 000630-08-0
Name: CARBON MONOXIDE
PTE(s): 11.76 pounds per hour
29,396 pounds per year

Condition 5: Capping Monitoring Condition
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 5.1:
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

Item 5.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 5.3:
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 5.4:
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 5.5:
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 5.6:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0001 Emission Point: 00012
Process: AG3 Emission Source: AG312

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

Item 5.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The hours of operation for the generator at the main plant shall be monitored to ensure that carbon monoxide shall remain below Title V thresholds; which is less than 100 tons of Carbon Monoxide (CO) total for the facility.

The facility will record generator hours of operation for emission source AG312 monthly on a twelve month rolling total basis.

Manufacturer Name/Model Number: Generator Main Plant
Parameter Monitored: HOURS OF OPERATION
Upper Permit Limit: 2500 hours per year
Monitoring Frequency: MONTHLY
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2019.
Subsequent reports are due every 12 calendar month(s).

Condition 6: Capping Monitoring Condition
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 6.1:
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

Item 6.2:
Operation of this facility shall take place in accordance with the approved criteria, emission

limits, terms, conditions and standards in this permit.

Item 6.3:
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 6.4:
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 6.5:
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 6.6:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0002 Emission Point: 00016
Process: RP1 Emission Source: RP116

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

Item 6.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The hours of operation for the generator at the RAP plant shall be monitored to ensure that carbon monoxide shall remain below Title V thresholds; which is less than 100 tons of Carbon Monoxide (CO) total for the facility.

The facility will record generator hours of operation for emission source RP116 monthly on a twelve month rolling total basis.

Manufacturer Name/Model Number: Generator RAP Plant
Parameter Monitored: HOURS OF OPERATION
Upper Permit Limit: 2500 hours per year
Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2019.
Subsequent reports are due every 12 calendar month(s).

Condition 7: Compliance Demonstration
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:6 NYCRR 212-4.1 (a) (2)

Item 7.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0003

Item 7.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The facility must have a plan which details the introduction or continuation of methods by which to reduce the moisture content of the aggregate stockpile(s). The facility shall perform self-inspections to monitor compliance with the plan.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2019.
Subsequent reports are due every 12 calendar month(s).

Condition 8: Compliance Demonstration
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:6 NYCRR 212-4.1 (b)

Item 8.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0003

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 8.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Prior to the replacement of each aggregate dryer burner, the owner or operator of a hot mix asphalt plant shall submit documentation to the Department for approval indicating that each replacement burner is designed to reduce emissions of Oxides of Nitrogen (NOx). Such documentation shall include a vendor certification or guarantee that the unit is a low NOx burner and the emission rate of NOx for each fuel combusted by the facility.

The facility owner or operator may not commence replacement of the burner until approval has been received from the Department.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 9: Capping Monitoring Condition
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 9.1:
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

Item 9.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 9.3:
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 9.4:
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 9.5:
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 9.6:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0003 Emission Point: 00018

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

Item 9.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
The Hot Mix Asphalt Plant will record thorughput of asphalt produced through emission source: BP118 burning either natural gas or No. 2 fuel oil and will remain below 400,000 tons of asphalt per year.

The facility will maintain a monthly asphalt produced and will calculate 12 month rolling totals to remain below Title V thresholds of carbon monoxide; which is less than 100 tons of Carbon Monoxide (CO) total for the facility.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: ASPHALT
Parameter Monitored: ASPHALT
Upper Permit Limit: 400,000 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2019.
Subsequent reports are due every 12 calendar month(s).

Condition 10: Compliance Demonstration
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable Federal Requirement:6 NYCRR 212-4.1 (a) (1)

Item 10.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0003 Emission Point: 00018

Item 10.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2019.
Subsequent reports are due every 12 calendar month(s).

Condition 11: Compliance Demonstration
Effective between the dates of 01/15/2019 and 01/14/2029

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

Item 11.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0003 Emission Point: 00018

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

Item 11.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Emissions of solid particulates are limited to 0.04 (90 mg/dscm) grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.04 grains per dscf
Reference Test Method: EPA Method 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 12: Compliance Demonstration
Effective between the dates of 01/15/2019 and 01/14/2029

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

Item 12.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0003 Emission Point: 00018

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 12.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater. The owner or operator shall maintain records of the opacity tests on site and will provide those records to the Department upon request.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: EPA Method 9
Monitoring Frequency: ANNUALLY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 13: Compliance Demonstration
Effective between the dates of 01/15/2019 and 01/14/2029

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

Item 13.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0003 Emission Point: 00018
Process: BP1 Emission Source: BP118

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 13.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
The facility shall maintain sulfur in oil by weight percent to ensure that the 0.0015 percent sulfur by weight is not exceeded to comply with above stated citation:

Owners and/or operators of any stationary combustion installation that fires distillate oil including number two heating oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.0015 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2019.
Subsequent reports are due every 12 calendar month(s).

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.

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 14: Contaminant List
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable State Requirement:ECL 19-0301

Item 14.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000050-00-0
Name: FORMALDEHYDE

CAS No: 000071-43-2
Name: BENZENE

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

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

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

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

Condition 15: Malfunctions and start-up/shutdown activities
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable State Requirement:6 NYCRR 201-1.4

Item 15.1:
(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

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

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

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

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

Condition 16: Emission Unit Definition

Effective between the dates of 01/15/2019 and 01/14/2029

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 16.1:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-U0001
Emission Unit Description:
The aggregate plant composed of three (3) crushers, three (3) feeders, five (5) screendecks, multiple conveyors, and one (1) line powered generator that supplies power to plant.

Item 16.2:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-U0002
Emission Unit Description:
The portable Recycled Asphalt Pavement (RAP) plant, which consists of an impact crusher, screen deck, multiple conveyors, and one diesel engine for power.

Item 16.3:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-U0003
Emission Unit Description:
This is a six (6) ton Hot Mix Batch Aphalt Plant that is dual fired natural gas or No. 2 fuel oil with a Low NOx burner.

Condition 17: Renewal deadlines for state facility permits
Effective between the dates of 01/15/2019 and 01/14/2029

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

Item 17.1:
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 18: Compliance Demonstration
Effective between the dates of 01/15/2019 and 01/14/2029

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

Item 18.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 18.2:
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 4
1130 N. Westcott Rd.
Schenectady, NY 12306

Monitoring Frequency: MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2019.
Subsequent reports are due every 12 calendar month(s).

Condition 19: Air pollution prohibited
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable State Requirement:6 NYCRR 211.1

Item 19.1:
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 20: Emission Point Definition By Emission Unit
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 20.1:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-U0001

Emission Point: 00001
Height (ft.): 13 Length (in.): 55 Width (in.): 42
NYTMN (km.): 4676.771 NYTME (km.): 601.572

Emission Point: 00002
Height (ft.): 13 Length (in.): 55 Width (in.): 42

NYTMN (km.): 4676.771 NYTME (km.): 601.572

Emission Point: 00003
Height (ft.): 12 Length (in.): 60 Width (in.): 144
NYTMN (km.): 4676.771 NYTME (km.): 601.572

Emission Point: 00004
Height (ft.): 20 Diameter (in.): 24
NYTMN (km.): 4676.771 NYTME (km.): 601.572

Emission Point: 00005
Height (ft.): 12 Length (in.): 72 Width (in.): 144
NYTMN (km.): 4676.771 NYTME (km.): 601.572

Emission Point: 00006
Height (ft.): 12 Length (in.): 144 Width (in.): 24
NYTMN (km.): 4676.771 NYTME (km.): 601.572

Emission Point: 00007
Height (ft.): 9 Length (in.): 114 Width (in.): 114
NYTMN (km.): 4676.879 NYTME (km.): 601.683

Emission Point: 00008
Height (ft.): 12 Length (in.): 96 Width (in.): 144
NYTMN (km.): 4676.879 NYTME (km.): 601.683

Emission Point: 00009
Height (ft.): 12 Diameter (in.): 5
NYTMN (km.): 4676.879 NYTME (km.): 601.683

Emission Point: 00010
Height (ft.): 10 Length (in.): 72 Width (in.): 144
NYTMN (km.): 4676.931 NYTME (km.): 601.669

Emission Point: 00011
Height (ft.): 12 Length (in.): 96 Width (in.): 144
NYTMN (km.): 4676.931 NYTME (km.): 601.669

Emission Point: 00012
Height (ft.): 6 Length (in.): 105 Width (in.): 67
NYTMN (km.): 4676.931 NYTME (km.): 601.669

Emission Point: 00013
Height (ft.): 12 Length (in.): 144 Width (in.): 144
NYTMN (km.): 4676.931 NYTME (km.): 601.669

Emission Point: 00019
Height (ft.): 5 Length (in.): 144 Width (in.): 96
NYTMN (km.): 4676.931 NYTME (km.): 601.669

Emission Point: 00020
Height (ft.): 10 Length (in.): 120 Width (in.): 120

NYTMN (km.): 4676.931 NYTME (km.): 601.669

Item 20.2:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-U0002

Emission Point: 00014
Height (ft.): 11 Length (in.): 144 Width (in.): 143
NYTMN (km.): 4676.702 NYTME (km.): 602.294

Emission Point: 00015
Height (ft.): 12 Length (in.): 144 Width (in.): 60
NYTMN (km.): 4676.702 NYTME (km.): 602.294

Emission Point: 00016
Height (ft.): 6 Diameter (in.): 8
NYTMN (km.): 4676.702 NYTME (km.): 602.294

Emission Point: 00017
Height (ft.): 12 Length (in.): 144 Width (in.): 24
NYTMN (km.): 4676.702 NYTME (km.): 602.294

Item 20.3:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-U0003

Emission Point: 00018
Height (ft.): 30 Diameter (in.): 36
NYTMN (km.): 4676.138 NYTME (km.): 601.572

Condition 21: Process Definition By Emission Unit
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 21.1:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-U0001
Process: AG1 Source Classification Code: 3-05-020-01
Process Description:
This process consists of the primary crushing equipment of the main aggregate plant. It consists of a primary jaw crusher, feeders, deck screens, tunnels, and conveyors.

Emission Source/Control: AG101 - Process
Design Capacity: 550 tons per hour

Emission Source/Control: AG102 - Process
Design Capacity: 515 tons per hour

Emission Source/Control: AG103 - Process
Design Capacity: 100 tons per hour

Emission Source/Control: AG104 - Process
Design Capacity: 500 tons per hour

Emission Source/Control: AG105 - Process
Design Capacity: 500 tons per hour

Emission Source/Control: AG106 - Process

Item 21.2:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-U0001
Process: AG2 Source Classification Code: 3-05-020-02
Process Description:
This process consists of the secondary crushing equipment of the main aggregate plant. It consists of an omnicone secondary crusher, deck screeens, and conveyors.

Emission Source/Control: AG207 - Process
Design Capacity: 401 tons per hour

Emission Source/Control: AG208 - Process
Design Capacity: 500 tons per hour

Emission Source/Control: AG209 - Process

Item 21.3:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-U0001
Process: AG3 Source Classification Code: 3-05-020-03
Process Description:
Process AG3 consists of the tertiary crushing equipment of the Main Aggreagate Plant. It consists of a shorthead omnicone tertiary crusher, deck screens, conveyors, and a generator. The Main Aggregate Plant is line and generator powered.

Emission Source/Control: AG310 - Process
Design Capacity: 223 tons per hour

Emission Source/Control: AG311 - Process
Design Capacity: 388 tons per hour

Emission Source/Control: AG312 - Process
Design Capacity: 1,653 horsepower (mechanical)

Emission Source/Control: AG313 - Process

Emission Source/Control: AG319 - Process
Design Capacity: 388 tons per hour

Emission Source/Control: AG320 - Process
Design Capacity: 25 tons per hour

Item 21.4:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-U0002
Process: RP1 Source Classification Code: 3-05-020-01
Process Description:
This process consists of the portable recycled asphalt pavement (RAP) plant, which consists of impact crusher, screen deck, multiple conveyors, and one diesel engine for power.

Emission Source/Control: RP114 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: RP115 - Process
Design Capacity: 200 tons per hour

Emission Source/Control: RP116 - Process
Design Capacity: 325 horsepower (mechanical)

Emission Source/Control: RP117 - Process
Design Capacity: 100 tons per hour

Item 21.5:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-U0003
Process: BP1 Source Classification Code: 3-05-002-08
Process Description:
This process consists of a six (6) ton Hot Mix Asphalt Plant fired on No. 2 Fuel oil with a low NOx burner.

Emission Source/Control: BP118 - Process
Design Capacity: 300 tons per hour

Item 21.6:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-U0003
Process: BP2 Source Classification Code: 3-05-002-06
Process Description:
This process consists of a six (6) ton Hot Mix Asphalt Batch Plant fired on Natural Gas with a Low NOx burner.

Emission Source/Control: BP118 - Process

Design Capacity: 300 tons per hour

Condition 22: Compliance Demonstration
Effective between the dates of 01/15/2019 and 01/14/2029

Applicable State Requirement:6 NYCRR 212-2.1 (a)

Item 22.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-U0003 Emission Point: 00018

Regulated Contaminant(s):
CAS No: 000071-43-2 BENZENE
CAS No: 000050-00-0 FORMALDEHYDE

Item 22.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
An evaluation of toxic air contaminants was conducted and it was found that Formaldehyde and Benzene were the only High Toxicity Air Contaminants (HTAC's) with emissions above Mass Emission Limits (MEL's) set forth in Table 2 of 6 NYCRR 212-2.2. Screening modelling was performed to determine if these contaminants were compliant with respective Annual Guideline Concentrations (AGC's) and Short-term Guideline Concentrations (SGC's). The results of the modelling analysis provided by consultant demonstrated that the facility's emissions will not cause an exceedance of AGC's and SGC's for formaldehyde and benzene with the limits set forth within this operating permit.

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