

Facility DEC ID: 4104000034

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 4-1040-00034/00042  
Mod 0 Effective Date: 01/15/2019 Expiration Date: 01/14/2029  
Mod 1 Effective Date: 09/01/2022 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:**

The facility is adding a new portable aggregate processing plant (EU: U-PORAG) including a primary crushing section, a secondary crushing section and a final processing section. The primary crushing operations include a Metso Lokotrack LT106 that includes a jaw crusher, a feeder, a main conveyor, an under-jaw belt, a hopper belt and a 300 hp Caterpillar C9.3 Tier 4 diesel engine. The secondary crushing operations include a Metso Lokotrack LT1213S that includes an impact crusher, a feeder/scalper, a main conveyor, a side conveyor and a 415 hp Caterpillar C13 Tier 4 diesel engine. The final processing section consists of a Metso Lokotrack 2.4 including a screen, multiple conveyors and a 102 hp Caterpillar C4.4 engine; as well as an IMS MC1050 24T Conveyor including a conveyor and a 59 hp Caterpillar C2.2 diesel engine. The emission unit is strictly used on the Life of Mine for the Hudson Quarry (MLF# 40081).

Facility DEC ID: 410400034

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:           ANGELIKA R STEWART  
  NYSDEC  
  65561 St Hwy 10  
  Stamford, NY 12167

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

Facility DEC ID: 4104000034

### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

Facility DEC ID: 410400034

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**DEC GENERAL CONDITIONS**

**General Provisions**

- 5 1 Facility Inspection by the Department
- 5 2 Relationship of this Permit to Other Department Orders and Determinations
- 5 3 Applications for permit renewals, modifications and transfers
- 6 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 6 5 Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS

Facility DEC ID: 4104000034

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

**Condition 1: Facility Inspection by the Department**  
**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**  
**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3**

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

**Condition 4: Permit modifications, suspensions or revocations by the Department**

Facility DEC ID: 4104000034

**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 ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

**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  
1422 - CRUSHED AND BROKEN LIMESTONE

Mod 0 Permit Effective Date: 01/15/2019

Permit Expiration Date: 01/14/2029

Mod 1 Permit Effective Date: 09/01/2022

Permit Expiration Date: 01/14/2029

**PAGE LOCATION OF CONDITIONS**

**PAGE**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 7 1 6 NYCRR 211.2: Visible Emissions Limited
- 7 1-1 6 NYCRR 225-1.2 (d): Compliance Demonstration
- 8 1-2 6 NYCRR 227-1.3 (c): Compliance Demonstration
- 8 2 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions
- 8 1-3 40CFR 60, NSPS Subpart IIII: Applicability
- 9 1-4 40CFR 60.670(f), NSPS Subpart OOO: applicability of subpart A
- 9 1-5 40CFR 60.675, NSPS Subpart OOO: Test methods and procedures
- 9 1-6 40CFR 60.675(c)(1), NSPS Subpart OOO: Opacity  
Procedures - Method 9 with Following Additions
- 10 1-7 40CFR 60.675(g), NSPS Subpart OOO: Rescheduling of Performance Test
- 10 1-8 40CFR 60.676(i), NSPS Subpart OOO: Notification of startup
- 11 1-9 40CFR 60.676(k), NSPS Subpart OOO: Where to send reports
- 11 3 40CFR 63, Subpart ZZZZ: Applicability

**Emission Unit Level**

- 11 4 6 NYCRR 201-7.1: Process Permissible Emissions

**EU=0-U0001,EP=00012,Proc=AG3,ES=AG312**

- 11 \*5 6 NYCRR 201-7.1: Capping Monitoring Condition

**EU=0-U0002,EP=00016,Proc=RP1,ES=RP116**

- 13 \*6 6 NYCRR 201-7.1: Capping Monitoring Condition

**EU=0-U0003**

- 14 7 6 NYCRR 212-4.1 (a) (2): Compliance Demonstration
- 15 8 6 NYCRR 212-4.1 (b): Compliance Demonstration

**EU=0-U0003,EP=00018**

- 15 \*9 6 NYCRR 201-7.1: Capping Monitoring Condition
- 17 10 6 NYCRR 212-4.1 (a) (1): Compliance Demonstration
- 17 11 40CFR 60.92(a)(1), NSPS Subpart I: Compliance Demonstration
- 18 12 40CFR 60.92(a)(2), NSPS Subpart I: Compliance Demonstration

**EU=U-PORAG**

- 18 1-10 40CFR 60.674(b)(1), NSPS Subpart OOO: Facility  
using wet suppression to avoid repeat performance test

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 21 14 ECL 19-0301: Contaminant List
- 22 15 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 22 1-11 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 23 16 6 NYCRR Subpart 201-5: Emission Unit Definition
- 24 1-12 6 NYCRR Subpart 201-5: Compliance Demonstration
- 25 17 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 25 18 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 26 19 6 NYCRR 211.1: Air pollution prohibited



Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

**Emission Unit Level**

- 26 20 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 28 21 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

**EU=0-U0003,EP=00018**

- 32 22 6 NYCRR 212-2.1 (a): Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

**FEDERALLY ENFORCEABLE CONDITIONS**

Mod 1/FINAL

\*\*\*\* 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.

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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

(a) Except as otherwise provided by this Part, construction or operation of a new, modified or existing air contamination source without a registration or permit issued pursuant to this Part is prohibited.

(b) If an existing facility or emission source was subject to the permitting requirements of this Part at the time of construction or modification, and the owner or operator failed to apply for a permit or registration as described in this Part, the owner or operator must apply for a permit or registration in accordance with the provisions of this Part. The facility or emission source is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing emission sources.

**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

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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 1-1: Compliance Demonstration**  
**Effective between the dates of 09/01/2022 and 01/14/2029**

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

**Item 1-1.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-1.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire distillate oil are limited to a 0.0015 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Note - Process sources and incinerators must comply with the above requirements on or after July 1, 2023.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-2: Compliance Demonstration**  
Effective between the dates of 09/01/2022 and 01/14/2029

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

**Item 1-2.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 1-2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation must perform an annual tune-up on each emission source subject to 6 NYCRR Subpart 227-1. Records of the tune-up shall be maintained at the facility or at a Department approved alternative location for a minimum of five years. The records shall, at a minimum, include the date the tune-up(s) occurred and the details of the tune-up procedures for each emission source.

Monitoring Frequency: ANNUALLY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**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 1-3: Applicability**  
Effective between the dates of 09/01/2022 and 01/14/2029

**Applicable Federal Requirement:40CFR 60, NSPS Subpart IIII**

**Item 1-3.1:**

This Condition applies to:

Emission Unit: UPORAG

**Item 1-3.2:**

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart III.

**Condition 1-4: applicability of subpart A**  
**Effective between the dates of 09/01/2022 and 01/14/2029**

**Applicable Federal Requirement:40CFR 60.670(f), NSPS Subpart OOO**

**Item 1-4.1:**

This Condition applies to:

Emission Unit: UPORAG

**Item 1-4.2:**

Table 1 of 40 CFR 60, Subpart OOO specifies the provisions of Subpart A of Part 60 that do not apply to owners/operators of affected facilities that are subject to the provisions of subpart OOO. All other provisions of Subpart A apply to this facility, as applicable.

**Condition 1-5: Test methods and procedures**  
**Effective between the dates of 09/01/2022 and 01/14/2029**

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

**Item 1-5.1:**

This Condition applies to:

Emission Unit: UPORAG

**Item 1-5.2:**

The owner or operator shall determine initial compliance using the test methods and procedures as required in section 40 CFR 60-000.675 and 40 CFR 60 Appendix A.

**Condition 1-6: Opacity Procedures - Method 9 with Following Additions**  
**Effective between the dates of 09/01/2022 and 01/14/2029**

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

**Item 1-6.1:**

This Condition applies to:

Emission Unit: UPORAG

**Item 1-6.2:**

In determining compliance with the particulate matter standards in 40 CFR 60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in 40CFR 60.11, with the following additions:

- (i) The minimum distance between the observer and the emission

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

source shall be 4.57 meters (15 feet).

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

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

**Condition 1-7: Rescheduling of Performance Test**  
**Effective between the dates of 09/01/2022 and 01/14/2029**

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

**Item 1-7.1:**

This Condition applies to:

Emission Unit: UPORAG

**Item 1-7.2:**

If, after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting any rescheduled performance test required in 40 CFR 60.675, the owner or operator of an affected facility shall submit a notice to the Administrator at least 7 days prior to any rescheduled performance test.

**Condition 1-8: Notification of startup**  
**Effective between the dates of 09/01/2022 and 01/14/2029**

**Applicable Federal Requirement:40CFR 60.676(i), NSPS Subpart OOO**

**Item 1-8.1:**

This Condition applies to:

Emission Unit: UPORAG

**Item 1-8.2:**

The owner or operator of portable aggregate processing plants must notify the administrator of the actual date of initial startup which shall include the home office and the current address or location of the portable plant.

(1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

(2) For portable aggregate processing plants, the notification of the actual date of initial startup



Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

shall include both the home office and the current address or location of the portable plant.

**Condition 1-9: Where to send reports**  
Effective between the dates of 09/01/2022 and 01/14/2029

**Applicable Federal Requirement:40CFR 60.676(k), NSPS Subpart OOO**

**Item 1-9.1:**  
This Condition applies to:

Emission Unit: UPORAG

**Item 1-9.2: Notifications and reports required under this subpart and under subpart A of this part** to demonstrate compliance with this subpart need only to be sent to the EPA Region or the State which has been delegated authority according to §60.4(b).

**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		(From Mod 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**

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

**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.

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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.

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

**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

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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 throughput 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.

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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:

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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 1-10: Facility using wet suppression to avoid repeat performance test**

**Effective between the dates of 09/01/2022 and 01/14/2029**

**Applicable Federal Requirement:40CFR 60.674(b)(1), NSPS Subpart OOO**



Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

**Item 1-10.1:**

This Condition applies to Emission Unit: U-PORAG

**Item 1-10.2:**

If an affected facility relies on water carryover from upstream water sprays to control fugitive emissions, then that affected facility is exempt from the 5-year repeat testing requirement specified in Table 3 of subpart 000 provided that the facility meets the following criteria:

- i) The owner/operator of the affected facility conducts periodic inspections of the upstream water spray(s) that are responsible for controlling fugitive emissions from the affected facility. These inspections are conducted according to the procedures in §60.676(b) and 60.674(b), and
- ii) The owner/operator of the affected facility designates which upstream water spray(s) will be periodically inspected at the time of the initial performance test required under §60.11 and 60.675.

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

**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 in 6 NYCRR 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 demonstrate, 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 facility was being properly operated and maintained;

(3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the 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 any 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 malfunction provision contained in any applicable requirement.

**Item B: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records.

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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: 0NY075-00-0  
Name: PARTICULATES

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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 1-11: Malfunctions and Start-up/Shutdown Activities**  
**Effective between the dates of 09/01/2022 and 01/14/2029**

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

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

**Item 1-11.1:**

(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 maintenance and start-up/shutdown activities when they are expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when required by a permit condition or upon request by the department. Such reports shall state whether an exceedance occurred and if it was unavoidable, include the time, frequency and duration of the exceedance, 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 monitoring and quarterly reporting requirements need not submit additional reports of exceedances to the department.

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall 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. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. 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, the air contaminants emitted, and the resulting emission rates and/or opacity.

(d) The department may also require the facility 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(From Mod 1):**

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

Emission Unit: U-PORAG

Emission Unit Description:

This is a portable aggregate processing plant consisting of primary crushing operations including one feeder, a primary jaw crusher, a main conveyor belt, an under jaw belt, a hopper belt and a 300 hp Tier 4 rated diesel

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

engine to operate the plant. Additionally the unit consists of secondary crushing operations including an impact crusher, a feeder/scalper, a main conveyor, a side conveyor, screen, and a 415hp Caterpillar C13 Tier 4 diesel engine. A water-spray system is utilized to control dust. The final processing section consists of a Metso Lokotrak 2.4 including a screen, multiple conveyors and a 102 hp Caterpillar C4.4 engine; as well as an IMS MC1050 24T Conveyor including a conveyor and a 59 hp Caterpillar C2.2 diesel engine. The equipment in this emission unit is only permitted for use within the approved Life of Mine for the Hudson Quarry (MLF# 40081).

**Item 16.2(From Mod 0):**

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 16.3(From Mod 0):**

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 16.4(From Mod 0):**

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 Asphalt Plant that is dual fired natural gas or No. 2 fuel oil with a Low NOx burner.

**Condition 1-12: Compliance Demonstration**

Effective between the dates of 09/01/2022 and 01/14/2029

**Applicable State Requirement:6 NYCRR Subpart 201-5****Item 1-12.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-PORAG

**Item 1-12.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

Monitoring Description:

The facility is prohibited from utilizing equipment in this emission unit within the Life of Mine at the Colarusso Quarry-Newman Rd, (MLF# 40020).

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 1/30/2023.

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

**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**

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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(From Mod 0):**

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



Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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(From Mod 0):**

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

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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

**Item 20.3(From Mod 0):**

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(From Mod 1):**

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

Emission Unit: U-PORAG

Process: PA1                                      Source Classification Code: 3-05-020-01

Process Description:

Under this process, the primary crushing operations of the portable aggregate processing plant are operated. The diesel engine provides the mechanical power to operate the plant. The diesel engine has horizontal emissions stack. The aggregate processing emits dust fugitively. A water spray system is attached to control dust.

Emission Source/Control: PORWS - Control  
 Control Type: WATER MIST/SPRAY

Emission Source/Control: PA102 - Process  
 Design Capacity: 400 tons per hour

Emission Source/Control: PA103 - Process  
 Design Capacity: 400 tons per hour

Emission Source/Control: PA104 - Process  
 Design Capacity: 400 tons per hour

Emission Source/Control: PA105 - Process  
 Design Capacity: 400 tons per hour

Emission Source/Control: PA106 - Process  
 Design Capacity: 160 tons per hour

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

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

Emission Unit: U-PORAG

Process: PA2                                      Source Classification Code: 3-05-020-02

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

Process Description:

Under this process, the secondary crushing operations of the portable aggregate processing plant are operated. The diesel engine provides the mechanical power to operate the plant. The diesel engine has horizontal emissions stack. The aggregate processing emits dust fugitively. A water spray system is attached to control dust.

Emission Source/Control: PA201 - Combustion  
Design Capacity: 415 horsepower (mechanical)

Emission Source/Control: PORWS - Control  
Control Type: WATER MIST/SPRAY

Emission Source/Control: PA202 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: PA203 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: PA204 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: PA205 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: PA206 - Process  
Design Capacity: 160 tons per hour

**Item 21.3(From Mod 1):**

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

Emission Unit: U-PORAG

Process: PA3

Source Classification Code: 3-05-020-03

Process Description:

Under this process, final conveying/screening operations occur.

Emission Source/Control: PA301 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: PA302 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: PA303 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: PA304 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: PA305 - Process  
Design Capacity: 400 tons per hour

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

Emission Source/Control: PA306 - Process  
Design Capacity: 400 tons per hour

Emission Source/Control: PA308 - Process  
Design Capacity: 400 tons per hour

**Item 21.4(From Mod 0):**

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 21.5(From Mod 0):**

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 screens, 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 21.6(From Mod 0):**

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

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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 Aggregate Plant. It consists of a shorthead omniconic 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 21.7(From Mod 0):**

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 21.8(From Mod 0):**

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

Permit ID: 4-1040-00034/00042

Facility DEC ID: 4104000034

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 21.9(From Mod 0):**

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.

**Permit ID: 4-1040-00034/00042**

**Facility DEC ID: 4104000034**

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Permit ID: 4-1040-00034/00042**

**Facility DEC ID: 4104000034**